

CITY COUNCIL  
Alma Hernandez, Mayor  
Jenalee Dawson, Mayor Pro Tem  
Amit Pal, Councilmember  
Parise Shepherd, Councilmember  
Princess Washington, 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, JUNE 3, 2025**

**6:30 PM**

---

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

---

#### ***REVISED CITY COUNCIL MEETING AGENDA***

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

#### ***ZOOM MEETING INFORMATION:***

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

*MEETING ID: 881 3612 3296*

*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. – 819)

(Next City Council Res. No. 2025 – 48)

Next Suisun City Council Acting as Successor Agency Res. No. SA2025 - 02)

(Next Housing Authority Res. No. HA2025 – 03)

#### **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.)**

1. City Manager Update - (Prebula: bprebula@suisun.com).
2. City Attorney Report - (Enright).

## **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).*

3. Approving Appointments to the Environment and Climate Community Advisory Committee (Hernandez: Ahernandez@suisun.com).
4. Consideration of Removal of Lilia Dardon from Recreation, Parks, Marina and Arts Commission under Suisun City Municipal Code Section 2.16.020 and Suisun City Council Norms and Procedures Section 5.7(c) at Request of Mayor Hernandez - (City Attorney).
5. Kellogg Resiliency Project - (Jordan Damerel).

## **CONSENT CALENDAR**

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

6. Council Adoption of Resolution No. 2025-\_\_\_: Authorize Payment in the Amount of \$44,640.61 to Riverview International Trucks, LLC. for Repairs to Truck 47 - (Lopez: Blopez@suisun.com).
7. Council Adoption of Resolution No. 2025-\_\_\_: Approving the Alignment of Compensation and Benefits for the Public Safety Dispatch Police Records Supervisor Classification with the Terms of the Suisun City Police Officers Association (SCPOA) Memorandum of Understanding (MOU) - (Penland: Cpenland@suisun.com).

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

8. Agreement with Kosmont Realty for Real Estate Advisory and Surplus Land Act Due-Diligence Service - (Prebula: Bprebula@suisun.com).
  - a. Successor Agency Adoption of Resolution No. SA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned

Properties within Suisun City.

- b. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.

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

9. City Council/Successor Agency/Housing Authority Approval of the Minutes of the Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on May 6, May 13, and May 20, 2025. – (Skinner: clerk@suisun.com).

**PUBLIC HEARING**

10. Council Introduction and Waive Reading of Ordinance No. \_\_: An Ordinance of the City Council of the City of Suisun City, California, Reaffirming Policy 706 Relating to the Police Department's Use of Military Equipment, in Accordance with Assembly Bill 481 (Roth: Aroth@suisun.com).
11. Council Introduction and Waive Reading of Ordinance No. \_\_; An Ordinance of the City of Suisun City, California, Repealing and Replacing Chapter 12.24 (Camping on Public Property) of Title 12 (Streets, Sidewalks and Public Places) of the Suisun City Municipal Code with Chapter 12.24 (Prohibition Against Certain Conduct on Public and Private Property) - (City Attorney).

Housing Authority

12. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_: Approving Revisions to the Housing Choice Voucher Administrative Plan Required by the United States Department of Housing and Urban Development - (Goltiao: Jgoltiao@suisun.com).

**GENERAL BUSINESS**

13. Council Adoption of Resolution No. 2025 - \_\_: A Resolution of the City Council of the City of Suisun City, California, Adopting Rules of Procedures and Conduct of Commissioners, Committee Members, and Board Members - (City Attorney).

**COUNCIL COMMENTS**

**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](mailto: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/](http://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, Ashley Nash, Administrative Assistant II 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.

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Consideration of Removal of Lilia Dardon from Recreation, Parks, Marina and Arts Commission under Suisun Municipal Code Section 2.16.020 and Suisun City Council Norms and Procedures Section 5.7(c) at Request of Mayor Hernandez.

---

**FISCAL IMPACT:** None.

---

**STRATEGIC PLAN:** Good Governance.

---

### **BACKGROUND:**

Commissioner Dardon was appointed to the Recreation, Parks, Marina and Arts Commission (“RPMA”) in February 2023 for a four-year term. Mayor Hernandez is requesting that Commissioner Dardon be removed as Commissioner under Suisun Municipal Code § 2.16.020 and the Suisun City Council Norms and Procedures § 5.7(c). Mayor Hernandez has received numerous complaints concerning Commissioner Dardon, including:

- Formal complaint from a Suisun City staff member that was relayed via their Department Head.
- Two formal complaints from City Councilmembers.
- Formal complaints from RPMA Commissioners.
- Multiple written complaints from Suisun City residents.

The request from the Mayor is for the removal of Commissioner Dardon with the approval of the City Council as set forth in Government Code § 40605, Suisun Municipal Code Chapter 2.16 and the Suisun City Council Norms and Procedures § 5.7(c).

---

### **STAFF REPORT:**

Government Code § 40605 provides that in general law cities where the office of mayor is an elective office, the mayor, with the approval of the city council, shall make appointments to boards, commissions, and committees unless otherwise explicitly provided by statute. Suisun City Municipal Code Section 2.16.020 establishes the Recreation, Parks, and Marina Commission, consisting of seven persons appointed by the Mayor and approved by the City Council. Members of the commission shall serve terms of four years. Suisun City Council Norms and Procedures provide that the City Council may, by a majority vote, expel a member from any City Body (defined as boards, commissions, and committees) for behavior that violates the Norms and Procedures. The general rule is that a commissioner serves at the pleasure of the appointing power and may be terminated for any reason, without cause, notice, or a hearing, as long as the reason for removal is not unconstitutional (*Kimura v. Roberts* (89 Cal.App.3d 871 (1979)).

Appointed officers hold office at the pleasure of the City Council. (Government Code § 36506, 40605) Government Code § 36506 applies to the appointment of commissioners for general law cities where the office of mayor is not an elective office. The exact process applies, but instead of the mayor

making the appointment, it is made by a majority of the City Council. One similar case involved the removal of a human rights commissioner because his statements condemning homosexuality did not violate his freedom of expression or the Establishment Clause. (*Lumpkin v. Brown* (9th Cir 1997) 109 F.3d 1498.

Similar to a Human Relations Board, the RMPA Commission is responsible for making recommendations regarding parks, recreation programs, operational policies, and other matters applicable to parks and recreation, the marina, community arts and cultural affairs, and recreational facilities. Also, to assist in the planning, development and review of recreational facilities, public parks, public recreation, community art and cultural affairs, and services managed and provided by or offered through the recreation, parks, and marina and public works department to meet the needs of the community (SMC § 2.16.100) As the 9th Circuit put stated it: “Because the Human Rights Commission formulates, implements, and explains the City antidiscrimination policies, the City has not only a legitimate, but a heightened expectation that its Human Rights Commissioners refrain from speaking publicly in a way that mocks the City’s antidiscrimination policy.” Likewise, here, the City may have a heightened expectation that its Commissioners refrain from speaking publicly in a way that denigrates any particular group or event using the City facilities.

---

**STAFF RECOMMENDATION:**

If City Council determines to remove Ms. Dardon from the Recreation, Parks, Marina, and Arts Commission, the Council will need to approve a motion with three affirmative votes, providing;

“Motion to remove Lilia Dardon from the Recreation, Parks, Marina, and Arts Commission under Suisun City Municipal Code § 2.16.020 and Suisun City Council Norms and Procedures § 5.7(c).”

---

**DOCUMENTS ATTACHED:**

1. Suisun City Municipal Code Chapter 2.16 Parks and Recreation Commission
2. Suisun City Council Norms and Procedures
3. RPMA Commissioner Handbook and Presentation (Presented at April 2, 2025 RPMA meeting)

---

**PREPARED BY:**

Patrick Enright, City Attorney

**REVIEWED BY:**

Patrick Enright, City Attorney

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. [Suisun City Municipal Code Chapter 2.16 Parks and Recreation Commission.pdf](#)
2. [2024-143 Amending Norms and Procedures and Relevant Policies FINAL 2024 10 15.pdf](#)
3. [RPMA Commissioner Handbook.pdf](#)

.

## Chapter 2.16 - PARKS AND RECREATION COMMISSION

### ARTICLE I. - DEPARTMENT

#### 2.16.010 - Established—Director.

A department of recreation, parks, and marina is established to be administered by the director of recreation, parks, and marina, who shall attend all commission meetings and act as lead staff in support of the commission in an ex-officio, non-voting status, under the direct supervision of the city manager, and governed through the establishment of policies recommended by the recreation, parks, marina, and arts commission and approved by city council.

(Ord. 661 Exh. A (part), 2002: Ord. 582 § 1, 1990: Ord. 511 § 2(part), 1985; Ord. 415 Art. I § 1, 1978)

(Ord. No. 756, § 1, 4-2-2019)

### ARTICLE II. - COMMISSION

#### 2.16.020 - Established—Membership.

There is established a commission consisting of seven persons appointed by the mayor and approved by the city council.

(Ord. 661 Exh. A (part), 2002: Ord. 415 Art. II § 1, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.030 - Qualifications.

All members of the recreation, parks, marina, and arts commission shall be residents of the city and possess a desire to serve the community.

(Ord. 661 Exh. A (part), 2002: Ord. 471 § 1, 1983: Ord. 415 Art. II § 2, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.040 - Compensation.

All members of the commission shall receive compensation as determined by the city council.

(Ord. 661 Exh. A (part), 2002: Ord. 471 § 2, 1983: Ord. 415 Art. II § 3, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.050 - Terms—Vacancies.

Members of the commissions shall serve terms of four years from last appointment year. Commissioners must re-apply for appointment if wanting to be considered for successive terms. Terms shall be staggered where four appointments shall be made, on odd years, after January 5th with the remaining three appointments in the next successive odd year after January 5th. Vacancies on the commission shall be filled for the unexpired term by appointment of the mayor with city council approval.

(Ord. 661 Exh. A (part), 2002: Ord. 471 § 3, 1983: Ord. 415 Art. II § 4, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.060 - Organization.

The members of the commission shall meet and organize by electing one of its members as chairman and such other officers as may be necessary bi-annually thereafter on even years. Terms shall expire on the first Wednesday in February of each even year. Elections shall be held at the first meeting in January of each even year.

(Ord. 661 Exh. A (part), 2002: Ord. 505 § 1, 1984: Ord. 415 Art. II § 5, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.070 - Meetings.

One regular meeting of the parks and recreation commission shall be scheduled on the first Wednesday of each month, starting at 6:00 p.m. Additional meetings may be scheduled by the chairperson, and/or as directed by city council, on the third Wednesday of the month or as the chairperson and/or city council determines necessary. All meetings must be posted 72 hours in advance and held in a public place.

(Ord. 661 Exh. A (part), 2002: Ord. 582 § 2, 1990: Ord. 415 Art. II § 6, 1978)

(Ord. No. 756, § 1, 4-2-2019; Ord. No. 777, 1-5-2021)

#### 2.16.080 - Records.

The lead staff shall be responsible for preparing and maintaining documentation of all business, minutes, findings, correspondence and other matters coming before the commission.

(Ord. 661 Exh. A (part), 2002: Ord. 415 Art. II § 7, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.090 - Failure to attend meetings.

If any commissioner fails to attend three meetings of the commission scheduled in any fiscal year without any such absence being excused by the commission, his or her office as commissioner shall automatically and immediately become vacant.

(Ord. 661 Exh. A (part), 2002: Ord. 471 § 4, 1983: Ord. 415 Art. II § 8, 1978)

(Ord. No. 756, § 1, 4-2-2019)

#### 2.16.100 - Powers and duties.

It is the power and duty of the recreation, parks, marina, and arts commission to:

1. Make recommendations to the director of recreation, parks, and marina and public works regarding parks, recreation programs, grants, operational policies as applicable to parks and recreation, the marina, community art and cultural affairs, and recreational facilities under direction of either department;
2. Make recommendations to the city council on matters pertaining to all aspects of public parks and facilities, public recreation, open space, public right-of way beautification projects, community art and cultural affairs, and personnel needed to assist the directors and commission;
3. Assist in the planning, development and review of recreational facilities, public parks, public recreation, community art and cultural affairs, and services managed or provided by or offered through the recreation, parks, and marina and public works departments to meet the needs of the community;
4. Work with the recreation, parks, marina and public works department staff to identify unmet community services needs and to provide recommendations to development strategies to meet those needs;
5. Provide a forum for the public to express their views related to public parks and recreation, parks, and marina department programs and services, and other related issues. Promote interest, cooperation, and support among public and private organizations and agencies and local residents for the city's recreation programs;
6. Interpret and convey, when applicable, the recreation, parks, and marina and public works department's policies and functions concerning programs for parks, recreation, and to encourage city residents to participate and/or utilize city programs, parks, facilities and services;
- 7.

Encourage cooperative programming between the recreation, parks, and marina department and other public and private organizations to enhance the efficiency and effectiveness of services provided;

8. Make periodic inspections of parks and recreation facilities to report to the directors for corrections of unmet needs;
9. Perform such other powers and duties as the city council may, by ordinance, resolution, or motion confer upon the commission;
10. Provide an annual commission report to the city council.

(Ord. 661 Exh. A (part), 2002: Ord. 415 Art. III, 1978)

(Ord. No. 756, § 1, 4-2-2019)

**RESOLUTION NO. 2024-143**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY  
AMENDING THE NORMS AND PROCEDURES AND RELEVANT POLICIES**

**WHEREAS**, on July 30, 2019 the City Council of the City of Suisun City established the Norms and Procedures to promote communication, understanding, fairness, and trust among the members of the City Council and staff concerning their roles, responsibilities, and expectations for management of the business of the City of Suisun City; and

**WHEREAS**, on February 18, 2020, the City Council of the City of Suisun City amended the Council Norms and Procedures; and

**WHEREAS**, on February 15, 2022 the City Council of the City of Suisun City amended the Council Norms and Procedures; and

**WHEREAS**, on July 19, 2022, the City Council of the City of Suisun City amended the Council Norms and Procedures; and

**WHEREAS**, the City Council held a Norms and Procedures study session on July 23, 2024 to discuss and review the Norms and Procedures; and

**WHEREAS**, the City Council discussed the edits at the August 20, 2024 City Council meeting, requesting staff bring back the final document for adoption; and


**WHEREAS**, the City Council reviewed the Council Norms and Procedures and provided directions to the City Attorney to prepare an amended Council Norms and Procedures; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Suisun City adopts the amended Norms and Procedures as set forth in the attached document entitled "City of Suisun City Council Norms and procedures

**PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 15<sup>th</sup> day of October 2024, by the following vote:

<b>AYES:</b>	Councilmembers:	<u>Dawson, Osum, Pal, Washington, Mayor Hernandez</u>
<b>NOES:</b>	Councilmembers:	<u>None</u>
<b>ABSENT:</b>	Councilmembers:	<u>None</u>
<b>ABSTAIN:</b>	Councilmembers:	<u>None</u>

**WITNESS** my hand and the seal of said City this 15<sup>th</sup> day of October 2024.

  
\_\_\_\_\_  
Anita Skinner  
City Clerk





**SUISUN CITY COUNCIL:**

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

**ORIGINAL ADOPTION:**

July 30, 2019

**AMENDED:**

FEBRUARY 18, 2020

FEBRUARY 15, 2022

JULY 19, 2022

OCTOBER 15, 2024

# SUISUN CITY COUNCIL NORMS & PROCEDURES

## Table of Contents

Section 1. GENERAL.....	1
1.1 Purpose.....	1
1.2 Code of Conduct.....	1
1.3 Overview of Council responsibilities.....	1
1.4 Overview of City Manager responsibilities.....	3
1.5 Annual Review.....	3
1.6 Ralph M. Brown Act.....	3
SECTION 2. COUNCIL REORGANIZATION .....	3
2.1 Mayor Pro Tem Selection Process.....	3
2.2 Duties of the Mayor Pro Tem/Vice Mayor.....	4
2.3 Appointment of a Council Vacancy.....	4
SECTION 3. ADMINISTRATIVE MATTERS.....	4
3.1 Attendance.....	4
3.2 Correspondence.....	4
3.3 Regional Boards, Committees and Ad Hocs.....	5
3.4 Distribution of Information.....	5
3.5 Reimbursement.....	5
3.6 Ethics and Sexual Harassment Prevention & Education Training.....	6
3.7 City Seal.....	6
3.8 Use of City Email and Social Media.....	6
3.9 Compensation.....	7
SECTION 4. COUNCIL RELATIONSHIP WITH STAFF.....	7
4.1 City Manager.....	7
4.2 Agenda Item Questions.....	8
4.3 Individual Council Member's Requests.....	8
SECTION 5. PROCEDURES FOR APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES .....	8
5.1 Definitions of Various City Bodies, including Task Forces, Committees, Ad Hocs, Commissions, and Boards.....	8
5.2 Recruitment and Appointment Process.....	9
5.3 Requirement for Appointment.....	10
5.4 Council Notification.....	10
5.5 Incumbents.....	10

5.6	Attendance.....	10
5.7	Norms and Procedures and Conflicts of Interest.....	10
5.8	Conflicts with Federal, State or Local Law. ....	11
SECTION 6. MEETINGS .....		11
6.1	Open to Public.....	11
6.2	Broadcasting of City Council Meetings. ....	11
6.3	Regular Meetings. ....	12
6.4	Cancelling Meetings.....	12
6.5	Special Meetings. ....	12
6.6	Closed Sessions. ....	12
6.7	Quorum.....	13
6.8	Minutes. ....	13
6.9	Adjourned Meetings. ....	13
SECTION 7. POSTING NOTICE AND AGENDA.....		13
7.1	Posting of Notice and Agenda.....	13
SECTION 8. AGENDA CONTENTS.....		13
8.1	Mayor’s Responsibility. ....	13
8.2	Availability to the Public ad Description of Matters. ....	14
8.3	Limitation to Act Only on Items on the Agenda.....	14
8.4	Order and Timing of Agenda – Regular Meeting. ....	14
8.5	Order of Agenda – Special Meeting – Closed Session. ....	14
8.6	Change in Order of Business. ....	14
8.7	Agenda Request Policy.....	14
8.8	Presentations. ....	15
8.9	Proclamations. ....	15
SECTION 9. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS.....		15
9.1	Rules of Order. ....	15
9.2	Appeal Procedures. ....	15
9.3	Applicants.....	16
9.4	Staff and Consultant Reports. ....	16
9.5	Public Comment.....	16
9.6	Council Member Respect.....	16
SECTION 10. CLOSED SESSIONS .....		17
10.1	Purpose. ....	17
10.2	Rule of Confidentiality. ....	17

10.3	Breach of Rule of Confidentiality. ....	17
10.4	Agenda. ....	17
10.5	Permissible Topics.....	17
10.6	Rules of Decorum.....	18
10.7	Conduct of Meeting. ....	18
10.8	Public Disclosure After Final Action. ....	18
SECTION 11. DECORUM .....		18
11.1	Council Members.....	18
11.2	City Employees.....	18
11.3	Public.....	19
11.4	Noise in the Chambers.....	19
11.5	Removal. ....	19
11.6	Dangerous Instruments. ....	19
SECTION 12. ENFORCEMENT OF DECORUM.....		19
SECTION 13. PUBLIC RELATIONS .....		20
13.1	City Spokesperson.....	20
13.2	Press Release.....	20
SECTION 14. MAYOR’S OFFICE .....		20
SECTION 15. VIOLATIONS OF PROCEDURES .....		20

# SUISUN CITY COUNCIL NORMS & PROCEDURES

## Section 1. GENERAL

### 1.1 Purpose.

The purpose of these Norms and Procedures is to promote communication, understanding, fairness, and trust among the members of the City Council and staff concerning their roles, responsibilities, and expectations for management of the business of the City of Suisun City.

In the interest of promoting best practices in our local government as Municipal Legislators, this document will include operational procedures, policies, and practices.

### 1.2 Code of Conduct.

The residents and businesses of Suisun City are entitled to have a fair, ethical and accountable local government, which has earned the public's full confidence for integrity. The effective function of our democratic government by law requires that:

- Our public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government,
- Our public officials will be independent, impartial and fair in their judgment and action,
- We will ensure the public office be used for the public good, and not for personal gain,
- Public deliberations and processes will be conducted openly, unless legally confidential, in an atmosphere of respect and civility, and
- Legally confidential discussions in closed sessions shall remain confidential to protect the City from liability and the processes of city governance.

In addition to the legal commitments noted above, the City of Suisun City Council agrees to the following governing norms:

- Be transparent and authentic; say what you mean and mean what you say.
- Afford each council member the time and opportunity to share their interest, and refrain from dominating the discussion.
- Be cooperative and assume one another's good intentions.
- Work as a team on behalf of the community, and not as competitors.
- Respect the Council / Manager form of government, including not directing staff.
- Following a council vote, support the decision of the body.
- No personal attacks or profanity.

### 1.3 Overview of Council responsibilities.

Suisun City is a California General Law city with a council/manager form of government. The City Council, which is elected directly by city voters, is assisted by a number of appointed and separately elected officials to provide services for City residents. The City Council has the following duties and responsibilities:

- (a) Appointment of the City Manager and City Attorney.** The City Council shall appoint the City Manager and the City Attorney. The City Manager shall implement City Council policy and run day-to-day operations of Suisun City. The City Attorney shall provide legal advice and act as counsel to elected officials and city staff in adherence to all federal, state and local laws pertaining to city operations and public policy. There should be an annual review for the City Manager and the City Attorney.

The City Manager's annual review shall follow closely the format included in the City Manager's contract and include goals for the next period. Less formal evaluations may take place quarterly or every six months at the pleasure of the Council. A separate procedure will be established for this evaluation.

The City Attorney's annual review shall be at a format proposed by the Mayor and agreed upon by the Council informally.

The Mayor at his/her discretion may annually create an ad hoc to oversee annual review process and prepare a summary evaluation.

- (b) Establishment of boards, commissions, and committees (each a "City Body" and together "City Bodies").** With the consent of the Council, the Mayor may establish City Bodies.
- (c) Legislative decisions.** The Council is the legislative body; its members are the community's decision makers. Power is centralized in the elected City Council collectively and not in individual members of the Council. The City Council approves the budget and determines the public services. It focuses on the community's goals, major projects and such long term considerations as community growth, financing and strategic planning. The City Council hires a professional City Manager to carry out administrative responsibilities and the City Council collectively supervises the City Manager's performance.
- (d) Legislative Advocacy.** The City Council, as the governing body, should develop where possible, with or without the assistance of outside professionals, a state and federal legislative platform. This platform shall be the guiding principles, which the City Council and City Manager use to advocate for the needs of Suisun City. From time to time, support or opposition letters or actions may be needed from the City, and often such action is required in short order, thereby preventing review by the full City Council. In such cases the following shall be the process:
- i. When a letter or action is needed to request funding for Suisun City, the Mayor shall have the authority to sign such a letter or provide such direction.
  - ii. If the letter or action is to support or oppose a specific state or federal action or legislation, the proposed Suisun City position must be taken to a smaller body, such as a legislative subcommittee of the City Council comprised of the Mayor and one other City Council Member.

- iii. The additional subcommittee member is appointed by the Mayor with the consent of the Council consent. This appointment shall be made in December of each year for the following 12 months.

#### **1.4 Overview of City Manager responsibilities.**

The City Manager is hired to serve the City Council and the community and to bring the benefits of education, training and experience in administering the City's projects, programs, and public services on behalf of the City Council. The City Manager follows the direction of the entire City Council and not individual members of the Council or the public, and serves at the sole discretion of the Council.

As the City's Chief Executive Officer, the City Manager oversees:

- Department heads and department operations
- Budget development and fiscal management
- Policy implementation
- Personnel administration and human resources
- Labor relations
- Intergovernmental relations
- Service delivery
- Elected official support
- A variety of special projects and assignments

The City Manager appoints, removes, promotes, and demotes any and all officers and employees of the city except the City Clerk, City Attorney, and City Treasurer.

Among the chief duties, the City Manager will implement the Council's policies, projects, programs, and public services in an effective and efficient manner, providing professional advice on policy matters, intergovernmental affairs, economic development, and environmental issues.

#### **1.5 Annual Review.**

The City Council shall conduct a review of this document annually within three months prior to the start of a new fiscal year, or whenever Council deems necessary, to assist Council Members in being more productive in management of the business of the City.

#### **1.6 Ralph M. Brown Act.**

All conduct of each City Body, as well as Task Forces and Ad Hoccs shall be in full compliance with the Ralph M. Brown Act.

## **SECTION 2. COUNCIL REORGANIZATION**

### **2.1 Mayor Pro Tem Selection Process.**

In December of each year, the Mayor shall select and appoint a Mayor Pro Tem, with consent of the City Council, from among all the members of the Council, irrespective of whether they were elected or appointed. Selection and appointment shall be at the first meeting of a new term following each General Municipal Election or at the first meeting in December during non-

election years. For all intents and purposes, the title Mayor Pro Tem and Vice Mayor are used interchangeably. The term of the appointment shall be for a 12-month period commencing on January 1<sup>st</sup> of each year, unless otherwise provided for by majority vote of the Council.

## **2.2 Duties of the Mayor Pro Tem/Vice Mayor**

The Vice Mayor remains as one member of the City Council and has no rights or authority different from any other member of the Council. The Vice Mayor is the designated individual to represent the Mayor and perform any duties as required when the Mayor is unavailable. If the Mayor will be unavailable for an extended period of time, the Mayor shall provide notification to the Vice Mayor, City Manager, and City Clerk, in addition to outlining any additional duties.

## **2.3 Appointment of a Council Vacancy.**

In the event of a vacancy of office on the happening of any of the events provided in Government Code section 1770, the Council shall appoint a new Council Member,, within sixty (60) days after a vacancy or death or resignation becomes effective in compliance with the California Elections Code, unless the Council, by resolution, decides to instead call a special election. In the event of appointment, the Mayor, with the consent of the Council, shall determine by resolution the process for appointment prior to the application process and in accordance with State law.

# **SECTION 3. ADMINISTRATIVE MATTERS**

## **3.1 Attendance.**

City Council Members acknowledge that attendance at lawful meetings of the City Council is part of their official duty. Council Members shall make a good faith effort to attend all such meetings unless unable. Council Members will notify the Mayor, City Manager, and City Clerk, if they will be absent from a meeting.

Pursuant to Government Code Section 36513, “if a city councilmember is absent without permission from all regular city council meetings for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy.”

## **3.2 Correspondence.**

With some exceptions, proposed correspondence (including electronic) from individual Council Members/Mayor on City stationery shall be reviewed by the Council in draft form prior to release.

The City will provide stationary designated as “The Office of” for each member of the Council to use for correspondence as it relates to each Council Member’s elected position (e.g., thank you notes, letters of recommendation, direct communication to residents or businesses, etc.). This letterhead will have the same information as provided on their business card. Any views expressed in this correspondence (including electronic) are solely the Council Member’s own and do not represent the City's or the Council's views.

E-mails from Council Members should be respectful and professional. This form of correspondence is a public record subject to disclosure under the California Public Records Act.

### **3.3 Regional Boards, Committees and Ad Hocs**

The role of the Council on regional boards will vary depending on the nature of the appointment. Representing the interests of Suisun City is appropriate on some boards; this is generally the case when other local governments have their own representation. The positions taken by the appointed representatives are to be in alignment with the positions that the Council has taken on issues that directly impact Suisun City. If an issue should arise that is specific to Suisun City and the Council has not taken a position, the issue should be discussed by the Council prior to taking a formal position at a regional board meeting, to assure that it is in alignment with a majority of the Council's position.

Council representatives to such various boards shall keep the Council informed of ongoing business through written reports to the Council during properly posted Council meetings. City Council Members shall report to the Mayor and City Manager, through an electronic means created and provided to the City Council members, any updates to the City Council and public, related to work as liaisons on Regional Boards, Commissions, Committees, or Ad Hoc Committees. These updates must be completed by 5 p.m. PST, the Wednesday before each City Council meeting. There may be weeks when no update is necessary, which should be noted in the document.

Council Members shall make a good faith effort to attend all regional meetings to which they are assigned. Attendance should not be less than 75% of all annual scheduled meetings and all absences should be reported to the Mayor. If a Council Member is unable to attend, the Council Member shall notify his/her alternate as far in advance of the meeting as possible so as to allow the alternate to attend.

A list of these assignments is maintained by the Deputy City Clerk and will be distributed to the Council when updated.

### **3.4 Distribution of Information.**

It is essential that every member of the City Council have the same information from which to form decisions and actions. Any information distributed to one Council Member shall also be distributed to all Council Members.

The Mayor, by virtue of the position, may receive information in advance of other members of the Council in order for the City Manager to effectively proceed with the day-to-day operation of the City. The City Manager will make every effort to disseminate this information to the remaining members of the Council prior to the next City Council meeting or before the information becomes public, whether through the City Manager Weekly Update or at the City Manager's meetings with individual Council Members.

### **3.5 Reimbursement.**

Every effort shall be made to limit the need to reimburse Council Members for expenses. City Council Members may be reimbursed for personal expenses for travel to and lodging at conferences or meetings related to their role as a Council Member. The reimbursement of expenses is limited in the following manner: Members shall be reimbursed subject to the

Administrative Directive related to travel expense (AD1.) Any additional expenses that fall outside the scope of this policy may be reimbursed only if approved by the City Council, at a public meeting, before the expenses are incurred. Any request for reimbursement of expenses shall be accompanied by an expense form and receipts documenting the expenditure. These documents are public records subject to disclosure under the California Public Records Act.

### **3.6 Ethics and Sexual Harassment Prevention & Education Training.**

Any member of the City Council or another City Body, Task Force or Ad Hoc formed by the City Council, shall receive at least two hours of ethics training in general ethics principles and ethics laws relevant to his/her public service every two years, as mandated by AB 1234, and at least two hours of sexual harassment prevention training, as mandated by AB 1661. New members must receive this training within their first year of service for ethics and six months for sexual harassment prevention training and education, and file a certificate of completion with the Deputy City Clerk. Members shall attend training sessions that are offered through the League of California Cities or locally in the immediate vicinity of Solano County, or by completing online a state-approved public service ethics education program.

An individual who serves on multiple legislative bodies need only receive two hours of each training every two years to satisfy this requirement for all applicable public service positions. If the City offers either course, the City will use a course that has been reviewed and approved by the Fair Political Practices Commission and the California Secretary of State.

The Deputy City Clerk is required to keep ethics training records for five years to document and prove that these continuing education requirements have been satisfied. These documents are public records subject to disclosure under the California Public Records Act.

### **3.7 City Seal**

The City Seal is an important symbol of Suisun City. No change to the City Seal shall be made without Council approval. Individual Council Members shall be careful in use of the City Seal so as not to create an appearance that the Council Member is acting on behalf of or with official endorsement of Suisun City.

The City Seal and any City Insignia shall only be used for purposes directly connected with the official business of the City of Suisun City, its City Council, boards and commissions, committees, officers or departments, except upon written authorization of the City Manager or his or her designee. City officers, employees, members of the City Council and members of City boards, commissions and committees may use stationary, printed materials and other articles with the City Seal or City Insignia while acting within the scope of their office or employment.

### **3.8 Use of City Email and Social Media.**

Except for emergencies, public officials who are not City employees ("public officials") conducting City business should not create any "public record" (as that term is defined in California Government Code Section 7920.530) by using any email account that is not a City email account, or by using any non-City-controlled social media account. Instead, public officials should use a City email or City-controlled social media account for City business.

Nothing in this policy is intended to limit a public official's use of private email and social media accounts for non-City business such as personal communications and campaign related activities.

For purposes of this policy "City-controlled social media account" is an account on a social media platform (e.g. Facebook, Instagram, Twitter) that is created and used by the City (e.g. the City's official Facebook page, if any).

**Use of City Electronic Devices.** In general, when creating or modifying public records in the conduct of City business on an electronic device that can create and modify public records (e.g. computers, mobile phones, tablets), public officials should only use City-issued devices. However, public officials may use non-City electronic devices to access an official City account, such as City email and City-controlled social media accounts.

**Exception:** If using a City electronic device is clearly impractical or if a public official has not been issued or does not have in the public official's possession a City electronic device, a public official may use a non-City device, but only if a copy of each affected public record is contemporaneously copied to a City account of that same public official, or to the related City-controlled social media account, or a hard copy is provided to the City for retention in City records.

**Texting Only on City Devices.** Except for emergencies or when communicating with the City Attorney's Office, public officials conducting City business shall not send or receive texts on any device other than a City owned device. In an emergency, a public official may use a non-City device to text, but only if a copy of any public record that is created as a result is contemporaneously copied to a City account of that same public official, or a hard copy is provided to the City for retention in City records.

### **3.9 Compensation.**

The Mayor and Council members are compensated in accordance with California Government Code Sections 36516 and 36516.1. The amount is memorialized in the City's Municipal Code.

## **SECTION 4. COUNCIL RELATIONSHIP WITH STAFF**

Suisun City is a Council/ Manager form of government. The Council establishes policy and the City Manager and their staff implement that policy. To effectively govern and maintain a healthy and productive relationship between City Council and all City Staff, the Council and staff alike must respect and abide by the roles and responsibilities of each and commit to work through the City Manager.

### **4.1 City Manager.**

The City Manager serves as the City's chief executive officer. They implement Council policy, provide professional recommendations and guidance to the Council, direct, supervise and manage all City staff, and manage day-to-day operations. The City Manager may delegate this responsibility to Department Heads, at their discretion.

City Council Members are always free to go to the City Manager to discuss City business. Issues concerning the performance of a department or any employee must be directed to the City Manager. The City Manager will be responsible for communicating with all Council Members.

#### **4.2 Agenda Item Questions.**

Council members are to work through the City Manager or City Attorney on all issues, concerns and questions. If a Council Member has a question on an agenda item, the Council Member should contact the City Manager, if at all possible, prior to any meeting at which the item may be discussed, to allow the City Manager and their staff time to provide the most complete answer to the Council Member's question. This does not restrict Council Members from asking questions during a Council meeting.

#### **4.3 Individual Council Member's Requests.**

Council Members shall make their requests for information to the City Manager or to a Department Head including the City Manager, to respond to an individual Council Member's request for any purpose or information..

## **SECTION 5. PROCEDURES FOR APPOINTMENTS TO BOARDS/COMMISSIONS/COMMITTEES**

### **5.1 Definitions of Various City Bodies, including Task Forces, Committees, Ad Hocs, Commissions, and Boards.**

- (a) **Task Force:** A temporary grouping of individuals and resources for the accomplishment of a specific objective.
- (b) **Committee:** A group of people officially delegated to perform a function, such as investigating, considering reporting, or acting on a matter.
- (c) **Ad Hoc:** Committees established for a specific purpose. Formed for or concerned with one specific purpose (e.g. ad hoc compensation committee); for the particular end or case at hand without consideration of wider application; formed or used for specific or immediate problems or needs; often improvised or impromptu; contrived purely for the purpose in hand rather than carefully planned in advance.
- (d) **Commission:** A group of people officially authorized to perform certain duties or functions with certain powers or authority granted; the act of granting certain powers or the authority to carry out a particular task or duty; the rank and powers so conferred.
- (e) **Board:** A group of persons having managerial, supervisory, or advisory powers. In parliamentary law, a board is a form of deliberative assembly and is distinct from a committee, which is usually subordinate to a board or other deliberative assembly – in having greater autonomy and authority.

## **5.2 Recruitment, Nomination and Appointment Process.**

- (a)** On or before December 31<sup>st</sup> of each year, the Deputy City Clerk shall prepare and post a list of all Council-appointed terms of City Bodies that expire during the next calendar year in compliance with Government Code Section 54972.
- (b)** The Deputy City Clerk shall annually advertise for applicants wishing to be considered for appointment to a City Body. All persons seeking appointment to a City Body must complete and submit an application form to the Deputy City Clerk.
- (c)** Annually and if an unscheduled vacancy occurs on a City Body during the year, the following steps should be taken to publicize the vacancy and fill the position:
  - 1.** Public announcement of the vacancy at a Council meeting.
  - 2.** Newspaper advertisement announcing the vacancy.
  - 3.** A recruitment period of at least ten (10) days.
  - 4.** A vacancy notice posted at City Hall, the Nelson Center, and on the City's website for at least 20 days.
  - 5.** Announcements in the local media, such as press releases, online news outlets and free weekly sales papers.
  - 6.** Distribution to appropriate professional and community organizations and all groups that have requested notification.
- (d)** All persons seeking appointment to a City board, commission or committee shall complete and submit an application form to the City Clerk as set forth in Section 5.6. Applications shall be kept on file for two years in the City Clerk's office and vacancies may be considered from the applications on file, as well as new applications.
- (e)** Each year, the Mayor shall appoint a two-member Ad Hoc Committee to be known as the Nominating Committee, which committee shall review all applications and interview selected applicants and, based on those efforts, shall make recommendations to the Mayor for appointments to the open positions ensuring that all recommendations meet the requirements of the City Body to which they are recommended for appointment. The Mayor may then, pursuant to Government Code Section 40605, appoint the applicants suggested by the Nominating Committee, choose to appoint another applicant from the pool of applicants, or nominate and appoint another person of their choosing, so long as the appointee meets the requirements of the City Body to which they would be appointed. All appointments to City Bodies must be approved by the City Council.
- (f)** If a vacancy occurs outside of the annual recruitment cycle, the Mayor may appoint from the previous recommendation of the Nominating Committee or from the existing applications already on file if there is more than four (4) months remaining on the vacant seat. If there are less than four months remaining, the Mayor may elect not to fill that seat and wait for the annual recruitment process, unless there is an urgent reason to appoint immediately such as need for a quorum. The Mayor may also request that a midyear recruitment be conducted to fill the vacancy if needed.

### **5.3 Requirement for Appointment.**

- (a)** Any person appointed to a City Commission must be a resident of Suisun City. Should any person so appointed move from the City during their term of office, such office shall be forfeited.
- (b)** Any person appointed to any City Body other than a City Commission must be one of the following: 1) a resident of Suisun City, 2) a majority owner of a business located in Suisun City at the time of their appointment and shall remain so throughout their term of appointment, or 3) a subject matter expert on issues pertaining to the work of the City Body to which the person is appointed. Should any person appointed as a resident of Suisun City move from the City, or appointed as a business owner in Suisun City no longer hold majority ownership of that business, such office shall be forfeited.
- (c)** Except as provided by state or local statute, the appointee shall not be a current City employee or currently appointed to another City Body.

### **5.4 Council Notification.**

By October 1 of each year, the Deputy City Clerk will notify all members of the City Council of expiring terms for members of City Bodies.

### **5.5 Incumbents.**

- (a)** At the end of the first term, the incumbent City Body member may, at the discretion of the Mayor, be reappointed for an additional term without the need to apply or interview for re-appointment. In lieu of an application, the member shall submit to the Deputy City Clerk a letter or email expressing interest in re-appointment 60 days prior to the expiration of the member's first term.
- (b)** Any incumbent interested in re-appointment who has served two or more terms must apply for reappointment as set forth in Section 5.2.

### **5.6 Attendance.**

- (a)** Members of City Bodies are expected to regularly attend and participate on their respective City Body.
- (b)** All absences should be reported to the Mayor and Deputy City Clerk in advance of missing the meeting.
- (c)** A board, commission or committee member whose attendance is less than seventy-five percent (75%) of the required meetings over a period of a year may be subject to removal at the discretion of the City Council.

### **5.7 Norms and Procedures and Conflicts of Interest.**

- (a)** All City Body members shall be expected to adhere to the Council Norms and Procedures.

- (b) All City Body members shall comply with all state and local laws with respect to ethics and conflicts of interests to the extent that such laws apply to their position, including state and local requirements to timely file Statements of Economic Disclosure if the member is designated as a filer by state law or by the City's Conflict of Interest Code.
- (c) The City Council may by majority vote expel a member from any City Body for behavior that violates a provision of these Norms and Procedures.
- (d) City Body members shall not engage in political activity in any of the following scenarios:
  - 1. While on duty for the City.
  - 2. In any manner that states or implies the City official is speaking on behalf of the City or communicating a City position. This may include but is not limited to engaging in political activity in the following scenarios:
    - a. While wearing a City uniform or official City badge, insignia or logo;
    - b. Using a City title or position; or
    - c. While in a room or building that is owned by the City or primarily paid for or used by the City.

"Political activity" means activity directed at the success or failure of any ballot measure or candidate for elective office in a future election and includes but is not limited to: endorsing a candidate; engaging in fundraising; developing, displaying, or distributing campaign materials; conducting research; or posting comments on social media or other Internet sites. Political activities include advocating for or against any license, permit, land use licenses and permits and any other entitlements as defined in Government Code section 84308.

#### **5.8 Conflicts with Federal, State or Local Law.**

In case of a conflict between this section of the Norms and Procedure policy with federal, state or local law, such federal, state or local law shall be the controlling factor.

## **SECTION 6. MEETINGS**

### **6.1 Open to Public.**

All meetings of the City Council whether regular, special, or study sessions, shall be open to the public, unless a closed session is held as authorized by law. All meetings shall be noticed as required to allow action to be taken by the Council.

### **6.2 Broadcasting of City Council Meetings.**

All regular Council meetings shall be scheduled in the Council Chambers to allow for web streaming, unless the number of participants exceeds room capacity. The final decision shall be the responsibility of the Mayor.

### **6.3 Regular Meetings.**

At the first regular meeting in January, the City Council will approve the schedule of meetings for the calendar year, which in addition to the regular meeting schedule, may include the cancellation of regular meetings and the addition of special meetings and study sessions. This practice does not, however, preclude the Mayor from calling additional meetings pursuant to Section 6.5, if necessary.

The City Council shall convene its regular City Council meetings at 6:30 p.m. on the first and third Tuesday of each month. However, each Tuesday is a regular meeting day if necessary to carry out the business of the city and Council members should be prepared to meet on any Tuesday evening.

The City Council hopes to conclude its public business at Regular Meetings by 10:00 p.m. Before an item can be taken up past 10:00 p.m., a vote must occur to continue the meeting. The meeting will only continue if a super majority of the City Council approves such an action. If the decision is to not continue, all remaining agenda items will be moved to the next regular City Council meeting.

### **6.4 Cancelling Meetings.**

Pursuant to Government Code Section 36805, City Council shall hold a Regular Meeting at least once each month. Outside of this provision, the Mayor may cancel no more than four (4) Regular Meetings at his/her discretion no less than 7 days before the planned meeting. The Mayor may cancel a meeting at any time in the case of an emergency or when a majority of members have confirmed their unavailability to attend a meeting.

### **6.5 Special Meetings.**

A special meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act. Written notice of any such meeting must specify the purpose of the meeting. Notice of the meeting must be given at least 24 hours before the time of the meeting in accordance with law. Public comments at special meetings shall be limited to only those items described on the special meeting notice/agenda.

The City Council may hold study sessions or joint meetings with other City Bodies or agencies as deemed necessary to resolve City business. These meetings will be coordinated by the Deputy City Clerk. Study sessions are scheduled to provide Council Members the opportunity to better understand a particular item. While Council may legally take action at any noticed meeting, generally no formal action is taken at study sessions. If action is to be taken at a study session, then the agenda will state that action may be taken.

### **6.6 Emergency Meetings.**

An emergency meeting may be called at any time by the Mayor or by a majority of the City Council in accordance with the Brown Act when an emergency situation, as defined by law, exists. In such circumstances, the 24 hour notice necessary for a special meeting is not required, although one-hour telephone notice to the media may be required.

## **6.7 Closed Sessions.**

(a) The City Council may hold closed sessions at any time authorized by law (and in consultation with the City Attorney), to consider or hear any matter, which is authorized by law. The Mayor or any three Council Members may call a closed session meeting at any time.

(b) In order for three Council Members to call a closed session the following procedure shall be followed. A Council Member shall email or call a meeting with the City Manager or the City Attorney outlining the desire and reason a closed session should be called. The City Manager or City Attorney will interview other Council Members as to their desire to hold such a closed session. If two other Council Members agree that a closed session is warranted, a closed session will be agendized as soon as practicable at a date and time acceptable to the Council Members requesting the closed session.

## **6.8 Quorum.**

Three (3) members of the City Council shall constitute a quorum and shall be sufficient to transact business. If fewer than three Council Members appear at a regular meeting, the Mayor, Vice Mayor in the absence of the Mayor, any Council Member in the absence of the Mayor and Vice Mayor, or in the absence of all Council Members, the City Clerk or Deputy City Clerk, shall adjourn the meeting to a stated day and hour.

## **6.9 Minutes.**

The City Clerk shall prepare minutes of all public meetings of the City Council. Electronic copies will be distributed to the Council for review prior to being placed on the City Council agenda for approval.

## **6.10 Adjourned Meetings.**

The City Council may adjourn any regular, adjourned regular, special, or closed session meeting to a time and place specified in the order of adjournment and permitted by law.

# **SECTION 7. POSTING NOTICE AND AGENDA**

## **7.1 Posting of Notice and Agenda.**

For every regular, special, or study session meeting, the City Clerk or other authorized person shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document. Posting is to be according to law.

# **SECTION 8. AGENDA CONTENTS**

## **8.1 Mayor's Responsibility.**

The Mayor is responsible for running a timely and orderly meeting. If the Mayor is unavailable to run a Council meeting, the Vice Mayor shall run the meeting. The Mayor, in consultation with the City Manager or his/her designee, shall organize the agenda and agenda forecast. The agenda forecast will be distributed with the City Manager's report.

## **8.2 Availability to the Public and Description of Matters.**

The agenda for any regular, special, or study session meeting of the City Council shall be made available to the general public and all items of business to be discussed at a meeting of the City Council shall be briefly described on the agenda in accordance with the Ralph M. Brown Act.

## **8.3 Limitation to Act Only on Items on the Agenda.**

No action shall be taken by the City Council on any item not on the posted agenda, subject only to the exceptions listed below:

(a) Upon a majority determination that an “emergency situation” (as defined by State Law) exists; or

(b) Upon determination by a 4/5 vote of the full City Council, or a unanimous vote if less than a full Council, that there is a need to take immediate action and that the need to take the action came to the attention of the City Council subsequent to posting of the agenda.

## **8.4 Order and Timing of Agenda – Regular Meeting.**

The prescribed order of the agenda for Regular Meetings of the Council will be as follows: Roll Call, Public Comment if a Closed Session is scheduled, Closed Session, Adjourn to Open Session, Pledge of Allegiance, Invocation, Conflict of Interest Notifications, Closed Session Announcement, if any, Informational Reports (City Manager/City Attorney), Presentations/Appointments, Public Comments on Items not on the Agenda, Council Comment, Consent Calendar, Public Hearings, General Business Items, Non-presented Reports, and Adjournment. The Mayor may “time” the agenda in a way that suggests how much time should be committed to any item such that the meeting may end at the established time.

## **8.5 Order of Agenda – Special Meeting – Closed Session.**

The prescribed order of the agenda for a Special Meeting – Closed Session of the Council will be as follows: Roll Call, Public Comment, Conflict of Interest Notifications, Closed Session, Closed Session Announcement if any, and Adjournment.

## **8.6 Change in Order of Business.**

The Mayor may decide to take matters listed on the agenda out of the prescribed order, and Council Members may make such a request. Council Members shall be given the opportunity to ask questions about Consent Items for clarification without having them removed.

## **8.7 Agenda Request Policy.**

Requests for placement of items on the agenda can be submitted to the Mayor or City Manager at any time. The Mayor and City Manager will review the request and determine appropriate timing to bring the item forth.

Also, any member of the Council may request that an item be placed on a future agenda by indicating their desire to do so under the Council Member Report portion of the City Council

agenda. The request will require the consensus of the Council to have the item brought back at a certain time versus at the pleasure of the Mayor or City Manager.

#### **8.8 Presentations.**

Presentations are put on the agenda with concurrence of the Mayor or City Manager. The Mayor or City Manager will use their best judgment on scheduling presentations and recognitions. Time limits shall normally be 5 minutes. Presentations may be extended by special circumstances as needed. Exceptions can be made at the Mayor's discretion.

#### **8.9 Proclamations.**

Requests for proclamations may be submitted to the Mayor at any time. The Mayor has full discretion in creating proclamations and issuing special recognitions on behalf of the City and the full City Council.

Council Members other than the Mayor may each create two proclamations and issue two special recognitions per calendar year to be presented on behalf of that Council Member. Council Members may petition the balance of the Council to be permitted to create additional proclamations or issue additional special recognitions if so desired.

To ensure Council Meeting efficiency, a maximum of three proclamations and two special recognitions may be presented at any regular meeting of the City Council. The meeting agenda will include proclamations and special recognitions to be presented during the council meeting, as well as a list of proclamations and special recognitions to be presented outside of the meeting, for informational purposes. Additionally, the Mayor and Council Members presenting proclamations and special recognitions may choose to read a portion of the full language of the item during the Council Meeting.

Attached hereto **Appendix A**, which is incorporated by reference.

## **SECTION 9. PROCEDURES FOR THE CONDUCT OF PUBLIC MEETINGS**

#### **9.1 Rules of Order.**

*Rosenberg's Rules of Order*, Revised 2011, govern all City Council Meetings. These Rules clearly and concisely set forth the important role of the chair (i.e., the Mayor) during a meeting; the process for making and voting on motions; the three standard motions, including the basic motion, the motion to amend, and the substitute motion; the process of debate; other procedural motions, including motions to limit debate, motions to table, and motions to adjourn. All City Council Members are encouraged to review and familiarize themselves with the details contained in this seven-page document. A copy of Rosenberg's Rules of Order is attached hereto and available on the City's website.

#### **9.2 Appeal Procedures.**

Appellants shall be given the opportunity to speak first. Appellants and applicants responding to appeals may be given a total of up to 10 minutes each to present their positions to the City

Council prior to hearing public comments. Appellants shall be given up to 5 minutes of rebuttal time after public comments are heard.

### **9.3 Applicants.**

Persons bringing to the City Council a request for approval shall be given a total of up to 10 minutes to present their positions/input prior to hearing public comments. An extension can only be granted by consent of a majority of the Council Members. Applicants shall be given up to 5 minutes of rebuttal time after public comments are heard.

### **9.4 Staff and Consultant Reports.**

In general, staff and consultant reports should be clear, brief and concise. Staff is to assume that the Council has read all materials submitted. Council shall be given an opportunity to ask questions of staff prior to hearing public comments.

### **9.5 Public Comment.**

- (a) Persons present at meetings of the City Council, either in-person or participating remotely, may comment on individual items on the agenda at the time the items are scheduled to be heard. During Regular City Council meetings, comments may be offered on items not on the agenda under that portion of the agenda identified for Public Comment.
- (b) The limit for speakers will be up to 3 minutes, depending on the number of speakers. Speakers are not allowed to delegate their time to another speaker. The Mayor may limit the time to be spent on an item and may continue the item, with the approval of the majority of the Council, to a future meeting at his/her discretion.
- (c) Upon addressing the Council, each speaker is requested, but not required, to first state his/her name, whom they represent and/or city of residence.
- (d) After the speaker has completed their remarks, the Mayor may direct the City Manager or City Attorney to briefly address the issues brought forth by the speaker. Council Members shall be respectful of the speakers and shall not enter into a debate with any member of the public nor discuss amongst themselves.
- (e) All Council Members shall listen to all public discussion as part of the Council's community responsibility. Individual Council Members should remain open-minded to informational comments made by the public.
- (f) The Mayor has the right to ask a member of the public to step down if over the allotted time or if the speaker's comments are not within the city's jurisdiction.

### **9.6 Council Member Respect.**

At all times, Council Members in the minority on an issue shall respect the decision and authority of the majority.

## SECTION 10. CLOSED SESSIONS

### **10.1 Purpose.**

It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, state law recognizes that, in certain circumstances, public discussion could potentially jeopardize the public interest, compromise the City's position, and could cost the taxpayers of Suisun City financially. Therefore, closed sessions shall be held from time to time as allowed by law. The procedures for the conduct of these meetings shall be the same as for public meetings, except that the public will be excluded.

Prior to convening the closed session meeting, the Mayor shall publicly announce the closed session items and ask for public input regarding any items on the closed session agenda.

Pursuant to California Government Code Section 54963, City Council Members shall keep all written materials and verbal information provided to them in closed session in complete confidence to insure that the City's position is not compromised. No mention of information in these materials shall be made to anyone other than Council Members, the City Attorney or City Manager, except where authorized by a majority of the City Council.

### **10.2 Rule of Confidentiality.**

The City Council recognizes that breaches in confidentiality can severely prejudice the City's position in litigation, labor relations and real estate negotiations. Further, breaches of confidentiality can create a climate of distrust among Council Members and can harm the Council's ability to communicate openly in closed sessions, thereby impairing the Council's ability to perform its official duties.

The City Council further recognizes that confidentiality of discussions and documents are at the core of a closed session. Confidentiality is essential if the closed session is to serve its purpose. Therefore, the City Council will adhere to a strict policy of confidentiality for closed sessions.

### **10.3 Breach of Rule of Confidentiality.**

No person who attends a closed session may disclose any statements, discussions, or documents used in a closed session except where specifically authorized by State law. Any authorized disclosure shall be in strict compliance with these rules and the Ralph M. Brown Act. Violation of this rule shall be considered a breach of this rule of confidentiality.

### **10.4 Agenda.**

The City Council agenda will contain a brief general description of the items to be discussed at the closed session, as required by law.

### **10.5 Permissible Topics.**

All closed sessions will be held in strict compliance with the Ralph M. Brown Act. The City Attorney, or their designee, will advise in advance on topics that may be discussed in a closed session.

#### **10.6 Rules of Decorum.**

The same high standard of respect and decorum as apply to public meetings shall apply to closed sessions. There shall be courtesy, respect and tolerance for all viewpoints and for the right of Council Members to disagree. Council Members shall strive to make each other feel comfortable and safe to express their points of view. All Council Members have the right to insist upon strict adherence to this rule. The Mayor shall keep the discussion moving forward so that debate and discussion can occur in the time allotted for the closed session. The Mayor will determine the order of debate in a fair manner.

#### **10.7 Conduct of Meeting.**

- (a) The Mayor will call the closed session to order promptly at its scheduled time.
- (b) The use of handouts and visual aids such as charts is encouraged to focus debate and promote understanding of the topic. All such materials are strictly confidential.
- (c) If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations, whether it be related to property acquisitions or disposal, a proposed or pending claim or litigation, or employee negotiations, all contact with the other party will be through the designated City person(s) representing the City in the handling of the matter. A Council Member not so designated by the Council will not under any circumstances have any contact or discussion with the other party or its representative concerning the matter which was discussed in the closed session, and will not communicate any discussions conducted in closed session to such party.

#### **10.8 Public Disclosure After Final Action.**

The Ralph M. Brown Act requires that, as a body, the City Council make certain public disclosure of closed session decisions when those actions have become final. Accordingly, the Mayor or City Attorney shall publicly report any final action taken in closed session, and the vote, including abstentions, at a publicly noticed meeting.

The report may be oral or written. The report will state only the action taken and the vote. Except for the action taken and the vote, all closed session discussions will remain confidential.

### **SECTION 11. DECORUM**

#### **11.1 Council Members.**

Members of the City Council value and recognize the importance of the trust invested in them by the public to accomplish the business of the City. Council Members shall accord the utmost courtesy to each other, City employees, and the public appearing before the City Council. The City Manager or his/her designee shall act as the sergeant-at-arms.

#### **11.2 City Employees.**

Members of the City staff shall observe the same rules of order and decorum applicable to the City Council. City staff shall act at all times in a business and professional manner towards Council Members and members of the public.

### **11.3 Public.**

Members of the public attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council. These Norms and Procedures shall apply to all City Council Meetings.

### **11.4 Noise in the Chambers.**

Noise emanating from the audience, whether expressing opposition or support within the Council Chambers or lobby area, which disrupts City Council meetings, shall not be permitted. All cell phones and other electronic devices shall be muted while in the chambers. Refusal is grounds for removal.

### **11.5 Removal.**

Any member of the public making personal, impertinent, and/or slanderous or profane remarks, or who becomes boisterous or belligerent while addressing the City Council, staff or general public, or while attending the City Council meeting and refuses to come to order at the direction of the Mayor/Presiding Officer, may be ordered by the Mayor/Presiding Officer, pursuant to Government Code Section 54957.95, to be removed from the Council Chambers by the Police Chief, or his/her designee, and may be barred from further attendance before the Council during that meeting.

Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Mayor/Presiding Officer. The Mayor/Presiding Officer may direct the Police Chief, or their designee, to remove such offenders from the room.

### **11.6 Dangerous Instruments.**

No person may enter the chambers of a legislative body, as defined in Government Code Section 54852 or any place where such legislative body is in session, with any firearm, weapon, or explosive device of any nature. The provisions of this section shall not apply to authorized peace officers or to those persons authorized by the Penal Code of the State to carry such weapons.

## **SECTION 12. ENFORCEMENT OF DECORUM**

In extreme cases, such as when a meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals as provided for herein, the Mayor/Presiding Officer may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session.

Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. Nothing in this Section shall prohibit the City Council from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

## SECTION 13. PUBLIC RELATIONS

### **13.1 City Spokesperson.**

The Mayor will serve as the general spokesperson for the City. When Council has not taken a position on an issue, neither the Mayor nor any Council Member will speak on behalf of the Council. In these situations, the Mayor or Council Member will use a phrase such as, "Council has not taken an official position, personally I think..."

### **13.2 Press Release.**

Any proposed Press Release may only use the City Seal and picture of the Council Member issuing such release if the subject matter pertains to official government business of Suisun City.

The group picture of the Council may only be used on a Press Release if the release is being issued on behalf of the entire Council.

## SECTION 14. MAYOR'S OFFICE

The opportunity to meet with a member of the public is an honor. It also creates an opportunity for our citizens to know that their elected officials are willing to listen and willing to act. There is a place for meeting over coffee or food, as some discussions are best had when "breaking bread." However, some discussions should happen in a professional environment, free from distractions allowing for private discussion.

To help facilitate meetings with members of the public as a Council Member, the Mayor's office is listed as a Resource Room in Outlook for advance scheduling.

Reach out to the Deputy City Clerk if you have questions regarding scheduling.

## SECTION 15. VIOLATIONS OF PROCEDURES

Nothing in these Norms and Procedures shall invalidate a properly noticed and acted upon action of the City Council in accordance with State Law.

This document shall remain in effect until modified by resolution of the City Council.

## **Appendix A**

### **Procedure for Councilmember Requesting a Proclamation to be Presented at a City Council Meeting**

#### **Purpose:**

The purpose of this policy is to establish a process regarding the policy regarding the processing of requests by individuals, groups and organizations for City proclamations by individual Council Members. The intent of the policy is to ensure that meetings of the City Council are not encumbered with long requests for support on matters that do not confirm to the City's policy.

#### **Definition of a Proclamation:**

A proclamation is an official declaration issued by the City Councilmember recognizing an event, individual, group, or cause of community-wide interest or significance. Proclamations should promote positive community engagement and reflect the City's values of respect, diversity, and inclusion.

#### **Scope:**

Proclamations are public acknowledgments issued on behalf of the City. They are symbolic and do not carry the force of law. The City reserves the right to deny requests that are inconsistent with the community's values or that violate any of the prohibitions outlined below.

#### **Topics of Permissible Subjects for Proclamation**

The policy attempts to focus the scope of potential city proclamations to City of Suisun City related matters, to municipal government matters and away from partisan political, religious or international policy matters. The following matters are within the scope of permissible subjects, but is not intended to be an exclusive list of permissible subjects.

- A. Matters involving the operation of municipal government or the provision of municipal services to the citizens and businesses in the City.
- B. County, state or federal legislation directly affecting municipal funding sources, operations or services.
- C. County or state initiative measures directly affecting municipal funding sources, operations and services.
- D. Requests submitted by the Board of the League of California Cities or the Board of the California Contract Cities Association.
- E. Requests submitted by public entities on whose board, the City has a voting member.

- F. Requests to honor businesses that are located in the City, service or philanthropic organizations that provide a significant level of services to residents or businesses in the City, and sports teams based in Artesia, upon the accomplishment of noteworthy achievements, programs or milestones.
- G. Requests to honor the life of a long-time and/or prominent Artesia resident upon their death.
- H. Requests to honor city officials, employees, and consultants for their achievements or milestones of service.
- I. Requests to honor public officials from other public entities who have served on boards, committees or commissions on which members of the Artesia City Council also serve, upon the completion of their term of office or chairmanship.
- J. If it is not clear whether a request for a proclamation falls inside or outside of a permissible category, the City Manager may submit the matter to the Mayor for its consideration.

**Topics Excluded from Proclamation:**

The following topics shall not be permitted for proclamations:

- 1. Hate Speech: Any proclamation that promotes hate or violence against individuals or groups based on race, religion, ethnicity, national origin, gender, sexual orientation, or other protected categories.
- 2. Racism: Proclamations that contain language or themes that degrade, dehumanize, or otherwise discriminate against individuals or groups based on race or ethnicity.
- 3. Discrimination of Protected Classes: Proclamations that promote or condone discriminatory behavior or treatment against individuals or groups protected by federal, state, or local anti-discrimination laws (e.g., race, gender, sexual orientation, disability status).

**Procedure:**

**Step 1: Submission of Request**

- 1. A City Councilmember must submit a written request for a proclamation at least three weeks prior to the City Council meeting where the proclamation is to be presented.
- 2. The request should be submitted to the Mayor, who will facilitate the process.
- 3. The written request must include:
  - Title of the proclamation.
  - The proposed text of the proclamation, including background information.

- The date of the City Council meeting where the proclamation will be presented.
  - Information about any individuals or groups who will be receiving or accepting the proclamation.
4. A proclamation requested for presentation at an event should include specific details about the event.

#### **Step 2: Review by City Staff**

1. Upon receipt, the Mayor, City Manager's Office or the City Clerk will review the proposed proclamation to ensure it aligns with the City's values and legal obligations.
2. Proclamations will be evaluated for:
  - Relevance to the City's community and values.
  - Compliance with prohibitions on hate speech, racism, and discrimination against protected classes.

#### **Step 3: Scheduling and Presentation**

1. Once approved, the proclamation will be placed on the agenda for the requested City Council meeting.
2. The Deputy City Clerk will ensure the proclamation is prepared and presented to the City Council.
3. During the meeting, the proclamation will be read aloud by the Councilmember who requested it, unless otherwise specified.
4. A formal copy of the proclamation will be presented to the recipient during the meeting, if applicable.

# CITY OF SUISUN CITY



## COMMISSIONER'S HANDBOOK

## **INTRODUCTION**

This handbook was prepared to provide guidelines for City Council-appointed persons for the Recreation, Parks, Marina, and Arts Commission and to provide them with an understanding of the responsibilities and procedures accompanying the position.

## **APPOINTMENT OF COMMISSIONERS**

All Commissioners are appointed by and serve at the discretion of the City Council. They are chosen for a specific term of office as stated in the Suisun City Code. Commissioners shall be, at the time of appointment and throughout their term of appointment, residents of the city.

## **SCOPE OF AUTHORITY**

The function of Commissioners on the Recreation, Parks, Marina, and Arts Commission is primarily advisory to the City Council. In their action, they will provide recommendations to the City Council through the Recreation, Parks and Marina Department Director.

### **1. City Council**

The Council is the governing body of the City. It is vested with the regulatory power of the City. Other than the City Clerk and the City Treasurer (whose duties are precisely limited), the Council is the only group of City officials to be selected directly by the voters.

The City Council is by law accountable to the citizens and they cannot shift or delegate that responsibility to any other group. The Council then must bear responsibility for the actions of its Recreation, Parks, Marina, and Arts Commissions. It is for this reason that all officers and bodies of the City must be advisory and accountable to the Council.

### **2. Commission**

All individuals who have been appointed by the City Council are acting in an advisory capacity (with a few exceptions prescribed by State law) to the City Council and occasionally to the City Manager, Department Head, or others assigned to assist them. Although they have no authority to commit the resources of the City (personnel, material or money), their recommendations to the City Council are helpful in providing the Council with additional information necessary for the best possible decision at the Council level. The Commissions render a very positive service to the Council in the following ways:

- a. Providing an open forum for public opinions and ideas.
- b. The review and selection of various alternative proposals on a variety of policy matters.

- c. Identifying and focusing upon specific problem areas of the community within the specialty area of the Commission's assignments.
- d. Acting as a buffer and screen to ensure that the final issues presented to the City Council are well delineated.

3. City Manager

The City Manager is appointed by the City Council and is responsible to them. The City Manager is required to provide coordination and direction to the various departments and to keep the City Council advised on all significant issues of the City government.

4. Department Heads

Department Heads are appointed by the City Manager. The Department Heads work with and under the direction of the City Manager in carrying out the policies of City Council. The Recreation, Parks, and Marina Director is assigned to work with the Commission in an advisory capacity. In all cases, the Commissions are independent of the Department Head, and advises the City Council. There may be a variance between a departmental recommendation and a Commission recommendation to the Council. This is not unexpected, nor is it necessarily undesirable. The Council will respect both views.

5. Staff Liaisons

The Recreation, Parks, and Marina Director is assigned to serve as the liaison to the Recreation, Parks, Marina, and Arts Commission and will provide the Commission with the necessary staffing to help to prepare agenda packets, notices, and record minutes.

6. Legal Assistance

The City Council will provide necessary legal help to the Commission where such help is deemed necessary or desirable. Any litigation to be considered will be handled through the Recreation, Parks, and Marina Director, City Manager and City Attorney only upon approval by the City Council.

Staff liaisons will obtain any required advice from the City Attorney's office prior to meetings requiring legal review.

7. City Policy

The Commission is established by City Council action and all advisory comments or recommendations should be presented only to the City Council for consideration. It is not appropriate for the Commission to take official action or represent positions through correspondence to other agencies and organizations or in issuing press releases on City positions or policies except with the concurrence of the City Council.

## **MEETINGS**

One regular meeting of the Recreation, Parks, Marina, and Arts Commission shall be scheduled on the first Wednesday of each month, starting at 6:00 (six) PM. Additional meetings may be scheduled by the Chairperson, and/or as directed by City Council, on the third Wednesday of the month or as the Chairperson and/or City Council determines necessary. All meetings must be posted seventy-two hours in advance and held in a public place.

## **ATTENDANCE**

A quorum is essential for the conduct of business. A majority of the members of the Commission constitutes a quorum. If a quorum is not present, the meeting must be adjourned by the members present and no action on any items can be taken. Members are expected to attend all meetings and should make every effort to do so.

Any Commissioner who is unable to attend a Commission meeting should notify the appropriate staff member as far in advance of the meeting as possible. (It may be necessary or desirable to cancel or postpone the meeting).

If any Commissioner fails to attend three meetings of the Commission scheduled in any fiscal year without any such absence being excused by the Commission, his or her office as Commissioner shall automatically and immediately become vacant.

## **COMPENSATION**

All members of the Commission shall receive compensation as determined by City Council. Currently, that compensation is \$100 per meeting.

## **CONDUCT OF MEETINGS**

The Commission shall select one of their members to serve as Chairperson and another of their members to serve as Vice Chairperson bi-annually, on even years, terminating at the first meeting in February. The Chair's function is to govern the meeting and provide liaison between the staff and Commission. All meetings should be conducted in an impartial, responsible manner with full courtesies afforded to all speakers and staff representatives. In the Chair's absence, the Vice-Chair assumes this role. If both the Chair and the Vice-Chair are absent, the staff liaison will call the meeting to order and the Commissioners will select a temporary Chairperson to serve until adjournment or the arrival of the Chair or Vice-Chair.

The presiding officer retains the right to make and second motions, participate in debate, and vote on all commission matters.

The Commission Chair is responsible for maintaining order and decorum throughout the meeting. This includes directing discussion and limiting debate if and when it ceases to be productive.

Subject to the provisions listed below, any member of the public has the right to address the commission during that portion of the meeting allocated for such comments. In addition, any

interested person may request permission for the presiding officer to address the Commission regarding the subject under consideration or any other subject within the Commission's jurisdiction.

When granting permission to speak, the presiding officer should request that the speaker state his or her name for the record. Comments from the audience should be directed to the Commission and not to the staff members present. If a response is needed from the staff, the chair will direct the question to the appropriate person who will then respond to the Chair.

The presiding officer may place a time limit on individual speakers from the audience and may request that they avoid reiterating arguments previously presented. A 3-minute time limit is set for public comment. Any established procedures for limiting or guiding debate should be explained at the beginning of the meeting and applied uniformly by the chair.

Any person making impertinent, slanderous or profane remarks or who becomes boisterous while addressing the Commission may be called to order by the presiding officer and ordered barred from further discussion if the conduct continues.

### **AGENDA**

An agenda will be prepared for each meeting in order to provide for adequate public information on the subjects to be presented. Minutes of all meetings must be kept and, when approved by the Commission, constitute the City's official record.

### **COORDINATION**

The Department Head or staff assigned to the Commission are the keys to maintaining good Commission relationships with the City officers. From time to time, it may be desirable for the Commission and the Council to meet together. Such a meeting can be arranged through the Recreation, Parks, & Marina Director.

### **CONFLICTS OF INTEREST**

All Commissioners have an obligation to represent their community in an open and honest manner. In doing so, individual Commissioners must avoid placing themselves in a position which tends in any way to bring their private interests into conflict with their official duties. All Commissioners must file a Conflict of Interest Statement each year. The forms are available from the City Clerk's Office and you will be notified when it is necessary to file.

During the course of any meeting where a Commissioner has a conflict of interest on any item, he or she should:

1. Disclose the conflict and ask the secretary to note the disclosure in the minutes.
2. Refrain from participating in the discussion on the matter.
3. Abstain from voting on the matter and leave the room while the matter is being discussed and voted upon.

## **SUMMARY**

Service as a Commissioner is a highly responsible position. The City Council bases selections on the basis of integrity, competence, and positive interest in improving our community. This booklet is intended to help and assist you in this important work. Additional information concerning the duties assigned can be obtained through the Recreation, Parks, and Marina Director.

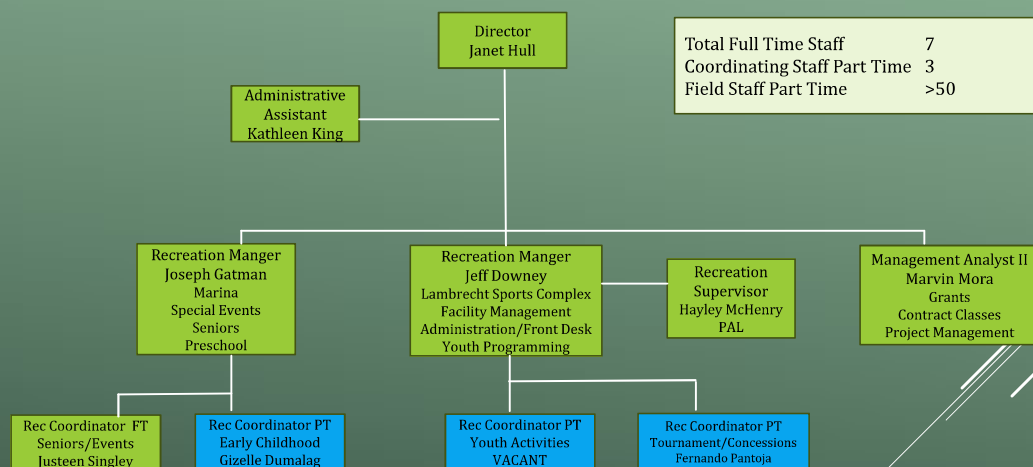
The City Council is deeply appreciative of the time and effort that each Commissioner devotes to furthering the improvement and development of our community, and we are very pleased that you have accepted this challenge. We believe you will find it both exciting and rewarding.

Revised 03/2025

# Recreation, Parks, Marina, & Arts Commission Orientation



## RECREATION, PARKS, & MARINA ORGANIZATIONAL CHART



## ROLE OF RPMA COMMISSIONERS

Municipal Code 2.16.100 - Powers and duties.

It is the power and duty of the Recreation, Parks, Marina and Arts Commission to:

1. Make recommendations of Recreation related items to the Director regarding parks, recreation programs, grants, operational policies, the marina, community art including cultural affairs and recreation facilities;
2. Make recommendations to City Council on aspects of public parks and facilities, public recreation, open spaces, public right-of way beautification projects, community art including cultural affairs, and personnel needed to assist the Director and Commission;
3. Assist in the planning, development, implementation and review of facilities, parks art and services managed or provided by the Recreation, Parks and Marina Department and the Public Works Department to meet the needs of the community;
4. Help identify unmet community service needs and to provide strategies to meet those needs with both the Recreation, Parks and Marina Department and the Public Works Department;
5. Provide a forum for the public to express views related to public spaces, programs and services, and other community needs in regards to recreation as well as promoting interest, cooperation and support among public and private organizations in regards to recreation needs.

## ROLE OF RPMA COMMISSIONERS

6. Interpret and convey, when applicable, the Recreation, Parks and Marina and Public Works Department's policies and functions concerning programs for parks, recreation, and to encourage city residents to participate and/or utilize city programs, parks, facilities and services;
7. Encourage cooperative programming between the Recreation, Parks and Marina Department and other public and private organizations to enhance efficiency and effectiveness of services provided;
8. Make periodic inspections of parks and recreation facilities to report to the directors for corrections of unmet needs;
9. Perform such other powers and duties as the City Council may, by ordinance, resolution, or motion confer upon the Commission;
10. Provide an annual Commission report to the City Council.

## Commissioner Role Clarification

A main function is to make recommendations to the Director and/or City Council

- You must have a majority vote to make the recommendation.
- What if the Director or City Council do not agree with the recommendation?
- Do I need to attend City Council Meetings?

Assist with the development of parks and facilities.

- You will see examples later in this presentation

Help both the RPM and Public Works Department in advocating for unmet needs.

- Lack of resources – financial, employees, etc.

## What if I want to...?

### **Get an item on the agenda for discussion.**

- You will need to request it from the Chair of the Commission in advance of the RPMA meeting.
- Agendas are set with a meeting of the Chair, Vice-Chair and Department Director.
- Not all ideas will be placed on the agenda as an action item.
- Can I bring up a new topic during Commissioner Reports?

### **I have a question about ANYTHING in the department. Who do I contact?**

- Your main point of contact is the Administrative Assistant and the Director. Please do not reach out to staff directly.
- Why not? To avoid mixed messages and confusion.

### **I want to add something to the agenda during the meeting.**

- That is not allowable. Sometimes when discussing a topic on the agenda, another topic is triggered. That item cannot be discussed as an action item, but the Chair can ask for consensus to bring that topic back.

### **I want to ask a general question about the city. Can I ask it during the meeting?**

- It depends. If is part of an agenda item, you may ask the question during the time dedicated to that item. If it is not part of the agenda, you will need ask at another time.

## What if I want to...?

### **I want to email all my fellow commissioners and ask a question.**

- This is a violation of the Brown Act. You cannot communicate with a majority of the RPMA Commission. When staff sends out an email, you can not "Reply All" as this is also a violation of the Brown Act.

### **What if the RPMA Commission wants to get together as a group**

- You may, but this constitutes a meeting and must be agendaized and posted as a normal meeting would be, which means the public is allowed to participate.

### **What if I can't make a meeting? What do I do?**

- You should email the Administrative Assistant (Kat). You are only allowed to miss 3 meetings in a calendar year. If you miss 3 or more, you can be removed from the commission.

### **I know you are booking the summer concert series and my friend wants to play.**

- There are numerous items that come up that you will have "friends" that have knowledge, skill, ability, etc. You need to distance yourself from these situations.

## Ad Hoc's – What are they?

### Definition - Special Purpose

Ad Hoc sub-committee's are formed to address specific needs or issues that needs more focused attention. An Ad Hoc is not a long term assignment and should have the goal of completing a project or solving a problem. There is no set time an ad hoc needs to be finished, but they are not permanent.

## What Ad Hocs does RPMA currently have?

Currently, RPMA has no special Ad Hoc Committees.

Historically, there have been Ad Hocs for the Arts, to create the Parks and Facilities Master Plan, the Poet Laureate, the Montebello Vista Park Revitalization Project, the Harbor Theatre, etc.

## Up to Speed...

What Projects is RPMA currently involved with?

### GRANTS

- VTIP – Vessel surrender grant, CA. Department of Boating and Waterways (renewal 2025) \$60K
- CA Department of Parks and Recreation ‘Specified Grant’ Funding – Montebello Vista Park \$1.7 Million
- CA Department of Parks and Recreation ‘Specified Grant’ Funding – Prosperity Garden Park \$780K
- Sacramento-San Joaquin Delta Conservancy Grant – Public Fishing Dock Planning \$715K
- Police Activities League Grant - \$2.3 million

## Up to Speed...

What Projects is RPMA currently involved with?

### Projects

- Creation or amendment of various municipal codes
- General review of budget, staffing, and department performance
- Arts Master Plan
- Prosperity Garden Park
- Montebello Vista Park Revitalization
- Heritage Park Enhancement
- Public Fishing Dock Design and Planning

QUESTIONS?

THIS PAGE INTENTIONALLY LEFT BLANK

## AGENDA TRANSMITTAL

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Council Adoption of Resolution No. 2025-\_\_\_: Authorize Payment in the Amount of \$44,640.61 to Riverview International Trucks, LLC. for Repairs to Truck 47.

---

**FISCAL IMPACT:** Annual apparatus maintenance is a regular expense included in the Fiscal Year 2024-25 budget, which is sufficient to cover the proposed expenditure.

---

**STRATEGIC PLAN:** Ensure Public Safety

---

**BACKGROUND:** The Fire Department's 100-foot aerial ladder truck, a 2008 Hi Tech Spartan Chassis fire truck has been out of service for a portion of 2024 and 2025 due to major engine and transmission repairs. The ladder truck required a new transmission installed and major engine repairs totaling \$71,559.33.

In October of 2024, shortly after the ladder truck returned, it was sent back to Riverview International after it was discovered there was oil leaking into the exhaust. Upon further examination of the ladder truck, it was determined that there were continued problems with the engine requiring additional repairs to the valves and cylinder heads. These repairs also include regular annual maintenance to the ladder trucks outriggers, hoselines, oil and filter changes totaling \$44,640.61.

---

**STAFF REPORT:** As Truck 47 approaches the end of its 20-year service life, we are seeing increased maintenance needs and a higher risk of catastrophic failures. These issues lead to significantly greater operational costs. Despite the challenges, the Ladder Truck remains a critical asset for serving and protecting our community, supporting infrastructure and maintaining our Insurance Services Office (ISO) Public Protection Classification which directly impacts insurance rates for residents and businesses.

Given its importance, it is imperative that the Fire Department continues to maintain Truck 47 until we are fiscally positioned to replace the unit.

---

**STAFF RECOMMENDATION:** It is recommended that the City Council adopt: Council Adoption of Resolution No. 2025-\_\_\_: Authorize Payment in the Amount of \$44,640.61 to Riverview International Trucks, LLC. for Repairs to Truck 47.

---

**DOCUMENTS ATTACHED:**

1. Council Adoption of Resolution No. 2025-\_\_\_: Authorize Payment in the Amount of \$44,640.61 to Riverview International Trucks, LLC. for Repairs to Truck 47.
2. Riverview International Trucks, LLC Invoice

---

**PREPARED BY:**

Brad Lopez, Fire Chief

**REVIEWED BY:**

Brad Lopez, Fire Chief

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. Resolution No. 2025-\_\_\_: Authorize Payment in the Amount of \$44,640.61 to Riverview International Trucks, LLC. for Repairs to Truck 47
2. Riverview International LLC Truck 47 Invoice.pdf

**RESOLUTION NO. 2025-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY TO  
AUTHORIZE PAYMENT IN THE AMOUNT OF \$ \$44,640.61 TO RIVERVIEW  
INTERNATIONAL TRUCKS, LLC. FOR REPAIRS TO TRUCK 47.**

**WHEREAS**, Riverview International Trucks, LLC., has been providing mechanical repairs and service to the department for the last 2 years; and

**WHEREAS**, in 2024, Truck 47 experienced two catastrophic failures related to the transmission and the engine block; and

**WHEREAS**, In October 2024, the ladder truck was sent to Riverview International Trucks, LLC., for additional repairs to the engine block, valves, and cylinder heads; and

**WHEREAS**, the total cost of the repairs was \$44,640,64; and

**WHEREAS**, these unforeseen mechanical issues have added to the already high cost of annual maintenance; and

**NOW, THEREFORE**, be it here resolved by the City Council of Suisun City does hereby authorize the payment of \$446,640.64 to Riverview International Trucks, LLC. for the necessary repairs preformed on Truck 47

**PASSED AND ADOPTED** at a regular meeting of said City Council held on Tuesday, the 3<sup>rd</sup> day of June 2025 by the following vote:

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this 3<sup>rd</sup> day of June 2025.

\_\_\_\_\_  
Anita Skinner,  
City Clerk

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR ORDER NUMBER IS:	322376
---------------------------------	--------

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

**(916) 371-3110**

SUISUN FIRE DEPT

\*INVOICE\*

PAGE 1

HOME: CONT:N/A  
BUS: CELL: SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484	
IN SERVICE DATE		PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD				23:00 31MAY25		CASH	16MAY25
R.O. OPENED		CLOSED		OPTIONS:			
10:56 15OCT24		10:11 16MAY25					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A REAR A/C INOP

19 ACCESSORIES

116	CRT						
112	CRT						
128	CRT						
1	FLTEC9210H LINER HOSE CLAMP, SAE SIZE 10,	1.25	0.92	0.92	3997.50	3997.50	
1	FLTPAG46LUB8OZKK FLEETRITE PAG 46 LUBRICANT						
6/8		8.05	7.48	7.48			
1	FLTACFL1GALKK CLEANER, A/C, FLEETRITE FLUSH	55.04	51.16	51.16			
1	MISC*113828 MISC HOSE	1590.00	1073.25	1073.25			
2	173738*113828 DRYER	204.00	137.70	275.40			
1	4401107*113954 NUT	12.56	8.48	8.48			
1	TEC933-5B CABLE TIE, 4.00 IN. MAX DIA, 0	28.40	19.19	19.19			
1	2P1610*114048 ON/OFF SWITCH	273.40	184.55	184.55			
1	935813*114154 HEATER VALVE	38.40	25.92	25.92			

SUBL 113828\*A/C HOSES

PO#113828

CRT

950.00 950.00

32290 REAR A/C INOP. EVAC AND VACUUM TEST. FOUND LEAKS AT BOTH AC HOSES. REPLACE HOSES. REPLACE DRYER AND HEATER VALVE. EVAC, VACUUM TEST, AND CHARGE AC SYSTEM. ON/OFF SWITCH INOP. CHECK POWER AND GROUND. FOUND SWITCH BAD. REPLACE ON/OFF SWITCH. SYSTEM NOW WORKING PROPERLY.

\*\*\*\*\*

B KUSMAUL AIR PUMP HAS AIR LEAK

19 ACCESSORIES

116	CRT						
140	CRT						
128	CRT						
1	HL1460X4 1/4 SLEEVE	6.27	0.94	0.94	877.50	877.50	
1	919C12VHPVER*111225 AUTO PUMP	1183.86	799.11	799.11			
1	WABRKN21004 DRAIN VALVE W/CAB	38.28	33.96	33.96			
1	HL1869X4X4S FITTING	25.29	19.51	19.51			



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



CAPACITY



MERITOR

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

CUSTOMER COPY 2

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

(916) 371-3110

\*INVOICE\*

SUISUN FIRE DEPT

PAGE 2

HOME: CONT:N/A  
BUS: CELL: SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25

R.O. OPENED	CLOSED	OPTIONS:
10:56 15OCT24	10:11 16MAY25	

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
1	HL3220X4X2	1/4X1/8	PIPE BUSHING		15.40	2.31	2.31
1	HL1469X4	FITTING			39.49	10.41	10.41
1	INV272020*113042	WARRANTY REPAIR					0.00

S/N:22226636 REPAIR#: 341178 4/17/25 KUSSMAUL

32290 CHECKED POWER AND GROUND SUPPLY. AIR PUMP IS BAD. REPLACED  
AIR PUMP. WATER TRAP AND REPAIRED AIR SYSTEM LEAKS.

\*\*\*\*\*

C WATER LEVEL INDICATOR NOT WORKING

19 ACCESSORIES			
116 CRT		1267.50	1267.50
4 1651969C1 TERMINAL CABLE SOCKET #16	3.08	2.73	10.92
1 TXT126870302 DUETCH CONNECTOR	86.15	54.60	54.60
4 453133C1 PLUG SEALING	0.39	0.34	1.36
1 XEWL300D0A*110855 LEVEL KIT UPDATE	1881.00	1269.68	1269.68
1 FRT-IN FREIGHT	40.00	40.00	40.00
1 13644*111254 FITTING	10.94	7.38	7.38

32290 WATER LEVEL INDICATOR NOT WORKING PROPERLY. CHECK AND TEST  
ALL WIRES AND CONNECTORS. FOUND WIRE CONNECTORS CORRODED. CLEAN WIRE  
CONNECTORS AND RECONNECT. STILL READING/ WORKING PROPERLY. RE-CALIBRATE  
DISPLAY. STILL NOT FUNCTIONING CORRECTLY. DISPLAY IS NO GOOD. REPLACE  
DISPLAY AND CALIBRATE.

\*\*\*\*\*

D SERVICE INSPECTION

19 ACCESSORIES			
112 CRT			
116 CRT		2242.50	2242.50
2 3102904 CLAMP,V BAND	57.93	57.20	114.40
1 FRT-IN FREIGHT	40.00	40.00	40.00
1 FRT-IN FREIGHT	40.00	40.00	40.00
1 HL5B1234 TERM	3.52	0.53	0.53
3 HLPC14RD1 WIRE	8.58	1.29	3.87
1 6891*113638 AIR FILTER	349.92	236.20	236.20

32290 PERFORM SERVICE INSPECTION. FOUND SMALL OIL LEAK AT OIL PAN



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



CAPACITY



MERITOR.

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EP# 982312225

57

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

(916) 371-3110

SUISUN FIRE DEPT

\*INVOICE\*

PAGE 3

HOME: CONT:N/A  
BUS: CELL:

SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25
R.O. OPENED	CLOSED	OPTIONS:				
10:56 15OCT24	10:11 16MAY25					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
BOLT. TIGHTEN BOLT TO SPEC. PRESSURIZE COOLING SYSTEM. FOUND CLAMP LEAKING. CLAMP WILL NOT SNUG AT THE TIME. RECOMMEND REPLACING CLAMP AND HOSES. HOSES LOOK WORN AND IN NEED OF REPLACEMENT.							

\*\*\*\*\*

**E FOAM PRO SYSTEM**

**19 ACCESSORIES**

116 CRT

140 CRT

390.00 390.00

32290 INSPECTION FOUND SMALL LEAK AT STRAINER CAP. REPLACE LEAKING O-RING. ALL HOSES IN GOOD SHAPE. FOLLOWED SUPPLY LINE TO TANK AND FOUND LEAK AT BARBED FITTING. REPLACED STRIPPED CLAMP. NO LONGER LEAKING.

\*\*\*\*\*

**F\*\* FLUID LEAKS ON MOTOR CHECK AND ADVISE**

**12 ENGINE**

112 CRT

4543.50 4543.50

2 ZSH9404206021G COOLANT, SHELL ROTELLA ELC 50/5

22.00 10.99 21.98

2 MD3 ATF

6.82 4.60 9.20

9 ZSH550045348G OIL, ROTELLA T5 15W40 CK4 GALL

33.74 15.49 139.41

1 FLTECCT9416 HOSE CLAMP; MATERIAL: STAINLES

6.53 4.79 4.79

20 HLCT15B STRAP

9.35 1.40 28.00

100 HLCT14B STRAP

6.49 0.97 97.00

1 4970037 HOSE, PLAIN

25.94 25.65 25.65

1 FRT-IN FREIGHT

20.00 20.00 20.00

3 FLTEC9210H HOSE CLAMP; MATERIAL: STAINLES

1.31 0.96 2.88

1 HL4200X10 HOSE BARB

26.26 5.86 5.86

4 2503069C1 HOSE, HEATER 5/8" I.D. X 15/16

20.19 17.14 68.56

32290 INSPECT FOR FLUID LEAKS ON ENGINE. REPLACE LEAKING HOSES AND CLAMPS AS NEEDED. TOP OFF COOLANT AND OIL.

\*\*\*\*\*

**G\*\* CHECK ON REPORTED OIL FOUND IN EXHAUST**

**12 ENGINE**

116 CRT



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



**MERITOR.**

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

CUSTOMER COPY 2

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

**(916) 371-3110**

SUISUN FIRE DEPT

\*INVOICE\*

PAGE 4

HOME: CONT:N/A  
BUS: CELL: SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25

R.O. OPENED		CLOSED	OPTIONS:		CASH	TOTAL
10:56 15OCT24		10:11 16MAY25				
LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET
		123	CRT			TOTAL

1 3683144 CLAMP,V BAND

73.34 390.00 390.00  
72.48 72.48

32290 INSPECT FOR OIL FOUND IN EXHAUST. REMOVE TURBO DOWN PIPE AND  
FOUND OIL RESIDUE. REMOVE EXHAUST MANIFOLD AND FOUND ALL 6 CYLINDERS  
HAVE OIL RESIDUE. EXHAUST VALVES ARE IN OIL. REMOVE EGR COOLER AND  
OTHER INTAKE MANIFOLD. FOUND OIL ON VALVES. LOOKS LIKE VALVES ARE  
LEAKING AS WELL VALVE GUIDES AND SEALS.

\*\*\*\*\*

H\*\* CROSSLAY VALVE LEAKING

19 ACCESSORIES

140 CRT

128 CRT

1170.00 1170.00

2 AKR91450001 KIT/CONV REPAIR W/BALL 2 GEN 2 276.72 186.79 373.58

32290 REMOVED CROSSLAY VALVE 1 AND 2. ISOLATED BALL VALVE BY  
REMOVING MOTOR. REPLACED BALL VALVE KITS WITH NEW. REINSTALLED BOTH  
CROSSLAY'S.

\*\*\*\*\*

I\*\* OFFICERS SIDE REAR OUTRIGGER LEAKING

19 ACCESSORIES

112 CRT

1 9344175\*111592 FITTING HOSE 104.44 682.50 682.50

32290 REPLACE LEAKING FITTING

\*\*\*\*\*

J\*\* REMOVE AND REPLACE REAR AXLE BRAKES, DRUMS AND HUB SEALS.

14 REAR AXLE

95 CRT

123 CRT

4387.50 4387.50

3 FLTANCBCCA15KK FLEET AER NON CHLOR  
BRKCLN15OZ

5.91 5.49 16.47

8 TS4515\*111117 SHOES

112.00 75.60 604.80

4 4515\*111117 HARDWARE KIT

66.12 44.63 178.52



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



**MERITOR.**

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

59

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

(916) 371-3110

\*INVOICE\*

SUISUN FIRE DEPT

PAGE 5

HOME: CONT:N/A  
BUS: CELL:

SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25

R.O. OPENED	CLOSED	OPTIONS:
10:56 15OCT24	10:11 16MAY25	

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
4	66884	*111117	DRUM		627.02	423.24	1692.96
4	ZCP3929053				374.17	319.30	1277.20
4	3566966C1	GASKET AXLE SHAFT FLG R T U			15.33	10.59	42.36

32290 REPLACE REAR AXLE DRUMS, BRAKES, AND HUB SEALS.

\*\*\*\*\*

K\*\* 1 ST REAR AXLE PINON MOVEMENT DETECTED. REMOVE DIFF AND REBUILD.

14 REAR AXLE

123 CRT

1	KIT*111127	DIFFERENTIAL PARTS	1531.12	1033.51	1033.51
1	1858344*111578	5/8 DOWEL	6.46	5.81	5.81
2	FLTFF75W90PKK	AXLE LUBRICANT FE 75W-90	359.70	334.37	668.74
1	HLFF986304S	CAP 1/4"	30.10	6.71	6.71
1	HLFF9767T16S	PLUG 1"	18.08	13.95	13.95
1	4471*111117	KIT	55.08	37.18	37.18
2	43693*111348	U JOINT	183.44	123.82	247.64

SUBL REBUILD 3RD MEMBER

CRT

1400.00 1400.00

32290 RI REAR DIFF AND REBUILD. TEST REBUILT DIFF IN VEHICLE. NO  
IMPROPER MOVEMENT DETECTED.

\*\*\*\*\*

L\*\* CAB LIFT CYLS ARE LEAKING FLUID

16 CAB

116 CRT

140 CRT

1326.00 1326.00

2 FLTANCBCCA15KK FLEET AER NON CHLOR

BRKCLN150Z

6 MD3 ATF

15 HLCT7B STRAP

1 119443\*112709 HYDRLIC HOSE

5.91	5.49	10.98
6.82	4.60	27.60
1.87	0.28	4.20
66.56	44.93	44.93

SUBL SERVICE CAB CYLINDERS

PO#111072

CRT

720.00 720.00

32290 INSPECT LEAKING CAB LIFT CYLINDERS. FOUND HOSE LEAKING.



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



MERITOR

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

CUSTOMER COPY 2

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

(916) 371-3110

\*INVOICE\*

SUISUN FIRE DEPT

PAGE 6

HOME: CONT:N/A  
BUS: CELL:

SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25
R.O. OPENED	CLOSED	OPTIONS:				

10:56 15OCT24 10:11 16MAY25

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

REPLACE BAD HOSE.

\*\*\*\*\*

M\*\* AIR HORN NOT WORKING  
16 CAB

128 CRT

2 HL1460X4 1/4 SLEEVE	6.27	0.94	1.88
2 HL1461X4 1/4 NUT	15.73	2.36	4.72
2 3843825C1 COUPLING 1/4" QUALITY CONNECT	24.40	18.83	37.66
2 15102024*CC AIR HORN ASSY	968.02	653.41	1306.82
1 PIE640023 FOOT PEDAL AIR	115.16	91.44	91.44
1 HL3325X4X2 FITTING	20.93	4.34	4.34
1 HL3220X4X2 1/4X1/8 PIPE BUSHING	15.40	2.31	2.31
2 HL3B8196 TERM	11.55	1.73	3.46
1 101202001*112602 HORN SOLENOID	788.72	532.39	532.39
4 HL3C1516 TERM	14.41	2.16	8.64

32290 DIAGNOSE AIR HORN INOP. INSTALL NEW AIR HORNS TO REPLACE  
DAMAGED ONES. INSTALL AIR SOLENOID.

\*\*\*\*\*

N\*\* Q2B FOOT SWITCH ON OFFICERS SIDE NOT WORKING  
16 CAB

128 CRT

1 HLPVT66A TAPE	20.65	15.93	15.93
1 HL5C112 TERM	9.46	1.42	1.42
1 2732834*112812 FOOT SWITCH	135.46	91.44	91.44

32290 INSPECT FOOT SWITCHES. DIAG INOP. INSPECT WIRING- GOOD. TEST  
GROUND AND POWER- GOOD. INSPECT WIRING FURTHER. TEST EACH WIRE AFTER  
FINDING WIRES HAVE BUTT CONNECTORS INSTALLED. TEST WIRES. ONE WIRE FOR  
FLOOR SWITCH ACTIVATED AIR HORN. REPLACE FOOT SWITCHES AND REWIRE AIR  
HORNS AND FOOT SWITCH WIRES. NOW ALL WORKING PROPERLY.

\*\*\*\*\*

O\*\* DRAGLINK RUBBER BOOT IS TORN IF NOT AVAILABLE  
5 STEERING

116 CRT

140 CRT



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



CAPACITY



MERITOR.

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
ADJUSTMENTS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

CUSTOMER COPY 2

CUSTOMER #: 7H140484  
UNIT# T047

YOUR REPAIR  
ORDER NUMBER IS:

322376

**RIVERVIEW INTERNATIONAL  
TRUCKS, LLC.**

2445 Evergreen Avenue, P.O. Box 716  
West Sacramento, CA 95691-0716

(916) 371-3110

\*INVOICE\*

SUISUN FIRE DEPT

PAGE 7

HOME: CONT:N/A  
BUS: CELL:

SERVICE ADVISOR: 450 JAMES CADDICK

UNIT	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
T047	08	MISCELLANEOUS MISCEL	1F95081367H140484		32290/32290	T484
IN SERVICE DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
01JAN08 DD			23:00 31MAY25		CASH	16MAY25

R.O. OPENED	CLOSED	OPTIONS:	CASH	FORMATS			
10:56 15OCT24	10:11 16MAY25						
LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
	128	CRT					

1 R230070\*112923 TIE ROD END

585.00 585.00  
117.02 78.99 78.99

32290 REPLACE TIE-ROD END AND DRAG LINK. SECURE WITH NEW COTTER  
PINS AND NUTS.

\*\*\*\*\*

P\*\* ADDED 35 GALLONS OF DIESEL @ 4.95 PER GALLON

FUELR FUEL REBILL

99CFUEL

128CFUEL

173.30 173.30

\*\*\*\*\*

MISCELLANEOUS SUPPLIES

60.00

RECEIVED BY: \_\_\_\_\_



2445 Evergreen Avenue P.O. Box 716  
(916) 371-3110 Parts (916) 371-3115  
WEST SACRAMENTO, CA 95691-0716



CAPACITY



MERITOR

DESCRIPTION	TOTALS
LABOR AMOUNT	26907.80
PARTS AMOUNT	13366.42
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	3070.00
MISC. CHARGES	60.00
TOTAL CHARGES	43404.22
ADJUSTMENTS	0.00
SALES TAX	1236.39
PLEASE PAY THIS AMOUNT	44640.61

X

I acknowledge notice and oral approval of an increase in the original estimated price.

EPA# 982312225

CUSTOMER COPY 2

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Council Adoption of Resolution No. 2025-\_\_: Approving the Alignment of Compensation and Benefits for the Public Safety Dispatch Police Records Supervisor Classification with the Terms of the Suisun City Police Officers Association (SCPOA) Memorandum of Understanding (MOU).

---

**FISCAL IMPACT:** The costs associated with aligning the Dispatch Supervisor's compensation and benefits with those of the Dispatchers are accounted for in the Police Department Budget.

---

**STRATEGIC PLAN:** Provide Good Governance.

---

**BACKGROUND:** On March 7, 2025, the City of Suisun City, the Suisun City Management and Professional Employees Association (SCMPEA), and the Suisun City Police Officers Association (SCPOA) executed a Stipulation and Agreement transferring the Public Safety Dispatch Police Records Supervisor classification from the SCMPEA bargaining unit to the SCPOA bargaining unit. This unit modification was formally recognized by all parties upon execution of the agreement.

Historically, the Dispatch Supervisor classification has been placed in the SCMPEA bargaining unit. However, the position has remained vacant and unfunded for several years and was not included in SCPOA's 2021 petition to transfer Dispatchers from the SCEA unit. The classification was reinstated in the Police Department's FY 2024-25 budget and is now being filled.

While unit representation was modified through the executed stipulation and agreement, an amendment to the SCPOA MOU would typically be required to implement compensation and benefit changes. Given that the City is currently in negotiations with SCPOA for a successor MOU, the parties opted to take the executed stipulation and agreement directly to City Council to authorize alignment of the Supervisor's compensation and benefits, in lieu of amending the current MOU.

---

**STAFF REPORT:** The purpose of this action is to align the compensation and benefits for the Public Safety Dispatch Police Records Supervisor with those currently provided to Dispatchers under the SCPOA MOU. This includes, but is not limited to special pay, overtime, leave accruals, and other applicable provisions.

This realignment ensures internal equity and consistency for classifications performing similar work under the same department and supervision structure. This alignment will take effect upon City Council adoption of the resolution.

Therefore, it is recommended that the City Council adopt the attached resolution authorizing the alignment of the compensation, benefits, and other terms and conditions of employment for the Public Safety Dispatch Police Records Supervisor classification with those provided to the Dispatcher classifications under the current MOU with the SCPOA.

---

**STAFF RECOMMENDATION:** It is recommended hat the City Council adopt: Council Adoption of Resolution No. 2025-\_\_\_: Approving the Alignment of Compensation and Benefits for the Public Safety Dispatch Police Records Supervisor Classification with the Terms of the Suisun City Police Officers Association (SCPOA) Memorandum of Understanding (MOU).

---

**DOCUMENTS ATTACHED:**

1. Council Adoption of Resolution No. 2025-\_\_\_: Approving the Alignment of Compensation and Benefits for the Public Safety Dispatch Police Records Supervisor Classification with the Terms of the Suisun City Police Officers Association (SCPOA) Memorandum of Understanding (MOU).
  2. Stipulation and Agreement Between the City of Suisun City, SCMPEA and SCPOA
- 

**PREPARED BY:**

Christina Penland, Human Resources Administrator

**REVIEWED BY:**

Bret Prebula, City Manager

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. [Resolution Dispatch Supervisor Unit Modification](#)
  2. [Stipulation and Agreement Dispatch Supervisor Unit Modification](#)
- .

## **RESOLUTION NO. 2025-\_\_**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY AUTHORIZING THE ALIGNMENT OF COMPENSATION AND BENEFITS FOR THE PUBLIC SAFETY DISPATCH POLICE RECORDS SUPERVISOR CLASSIFICATION WITH THE TERMS OF THE SUISUN CITY POLICE OFFICERS ASSOCIATION (SCPOA) MEMORANDUM OF UNDERSTANDING (MOU)**

**WHEREAS**, the Public Safety Dispatch Police Records Supervisor classification has historically been represented by the Suisun City Management and Professional Employees Association (SCMPEA); and

**WHEREAS**, on March 7, 2025, the City of Suisun City, SCMPEA, and the Suisun City Police Officers Association (SCPOA) executed a Stipulation and Agreement transferring the representation of the Public Safety Dispatch Police Records Supervisor classification from SCMPEA to SCPOA; and

**WHEREAS**, the executed Stipulation and Agreement formally recognizes the unit modification and assigns the SCPOA as the exclusive representative for the classification for purposes of collective bargaining; and

**WHEREAS**, while such unit modifications are typically accompanied by a formal amendment to the MOU, the City and SCPOA mutually agreed to defer a formal MOU amendment due to current ongoing labor negotiations, and instead bring the matter directly to the City Council for authorization of compensation and benefit alignment; and

**WHEREAS**, the City Council desires to authorize that the compensation, benefits and other terms and conditions of employment for the Public Safety Dispatch Police Records Supervisor be aligned with those currently provided to the Dispatcher classification under the SCPOA MOU; and

**WHEREAS**, the Police Department has conducted an internal recruitment and identified an internal candidate to fill the Dispatch Supervisor role; and

**WHEREAS**, with approval of this action, the Department will proceed to fill the position, and there is no increase in cost to the Department's budget as the Supervisor position was created by converting an existing Dispatcher position and the associated benefits and compensation were already budgeted for in the current fiscal year;

**WHEREAS**, this action promotes internal equity and ensures consistency for classifications performing related duties under the same departmental structure;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUISUN CITY AS FOLLOWS:**

1. The City Council hereby authorizes the alignment of compensation, benefits and other terms and conditions of employment for the Public Safety Dispatch Police Records Supervisor classification with those currently in effect for the Dispatcher classification under the existing SCPOA Memorandum of Understanding.
2. This alignment shall take effect immediately upon adoption of this resolution and shall remain in effect unless modified through future negotiations or Council action.
3. The City Manager or designee is hereby authorized and directed to take any and all actions necessary to implement this resolution.

**PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of Suisun City duly held on Tuesday, the 3rd day of June 2025, by the following vote:

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this 3rd day of June 2025.

\_\_\_\_\_  
Anita Skinner  
City Clerk

**STIPULATION AND AGREEMENT  
BETWEEN THE CITY OF SUISUN CITY, SUISUN CITY MANAGEMENT AND PROFESSIONAL  
EMPLOYEES' ASSOCIATION AND THE SUISUN CITY POLICE OFFICERS' ASSOCIATION**

This Stipulation and Agreement ("Agreement") is made and entered into on the 7th day of March, 2025, pursuant to Section 3507 of the Meyers-Milias-Brown Act ("MMBA") and Sections 10 and 11 of the City's Employer-Employee Relations Resolution No. 74-33 ("EERR"), by and between the City of Suisun City (hereinafter "City"), the Suisun City Management and Professional Employees Association ("SCMPEA"), and the Suisun City Police Officers Association ("SCPOA") (collectively, "Parties").

**RECITALS**

1. **Prior Agreement on Dispatcher Representation.** On August 31, 2021, the City, SCPOA, and the Service Employees International Union, Local 1021 ("SCEA") executed a Stipulation and Agreement transferring the dispatcher classification from SCEA representation to SCPOA representation.
2. **Elimination and Reinstatement of the Dispatch Supervisor Position.** Between January 2021 and July 2024, the Police Records and Public Safety Dispatch Supervisor ("Dispatch Supervisor") position was eliminated from the Police Department budget. Consequently, it was not included in the prior unit modification due to its vacant and unfunded status. In July 2024, the Dispatch Supervisor position was reinstated in the Police Department Budget.
3. **Historical Placement of the Dispatch Supervisor Position.** The Dispatch Supervisor classification has historically been included in the SCMPEA bargaining unit rather than the SCEA unit. When SCPOA petitioned to modify SCEA's unit in 2021 to transfer Dispatchers, the Dispatch Supervisor position remained under SCMPEA as it was vacant and unfunded at the time. As a result, no petition was made to modify SCMPEA's unit to transfer the classification.
4. **Current Representation and Unit Alignment.** In July 2023, the City Council approved two separate Memoranda of Understanding (MOUs):
  - SCMPEA MOU (2023-2025): Governing the Dispatch Supervisor classification.
  - SCPOA MOU (2023-2025): Governing the dispatcher classification.
5. **Reinstatement of the Dispatch Supervisor Position.** The Parties mutually recognize the need for a unit modification to align the Dispatch Supervisor classification with the dispatcher classification in SCPOA's bargaining unit prior to filling the vacancy. This alignment ensures that the Dispatch Supervisor is represented within a bargaining unit that shares common skills, working conditions, job duties, and educational requirements, facilitating more effective representation on wages, hours, and other terms of employment.
6. **Intent to Maintain Harmonious Labor Relations.** The Parties seek to promote harmonious labor relations by formally transferring the Dispatch Supervisor classification from SCMPEA to SCPOA.


## **AGREEMENT**

1. **Incorporation of Recitals.** The Recitals set forth above are material provisions of this Agreement and are incorporated herein by reference.
2. **Approval of Unit Modification.** The City Manager, acting as the Municipal Employee Relations Officer, has determined that SCPOA is the appropriate unit to represent the Dispatch Supervisor classification in accordance with EERR No. 74-33. The unit modification shall become effective immediately upon execution of this Agreement.
3. **Agreement to Realign Compensation, Benefits, and Terms of Employment.** The Parties agree to realign the compensation, benefits, and other terms of employment for the Dispatch Supervisor to be consistent with those provided to dispatchers under the SCPOA MOU.
4. **City Council Authorization for Compensation, Benefits, and Terms of Employment.** While the unit modification is formally recognized through this Agreement, the implementation of the realigned compensation, benefits, and terms of employment under the SCPOA MOU shall require City Council approval of a resolution authorizing such changes.
5. **Implementation of Compensation, Benefits, and Terms of Employment.** Upon City Council approval of the resolution, the Dispatch Supervisor shall receive the same compensation, benefits, and other terms of employment as provided to dispatchers under the SCPOA MOU. The implementation of these terms is contingent on City Council authorization.
6. **Exclusive Representation.** SCPOA shall be recognized as the sole and exclusive representative of the Dispatch Supervisor classification for collective bargaining purposes regarding wages, hours, and other terms and conditions of employment immediately upon execution of this Agreement.
7. **No Competing Representation Claims.** The Parties confirm that no other labor organization claims to represent the Dispatch Supervisor classification or has expressed an intent to do so.
8. **Full Resolution of Disputes.** This Agreement constitutes the full and final resolution of all claims and disputes related to the matters addressed herein.
9. **Authority to Execute Agreement.** The undersigned representatives affirm that they have read and understood the terms of this Agreement and are authorized to execute it on behalf of their respective organizations.

-- SIGNATURES NEXT PAGE --

## SIGNATORIES

### For the City of Suisun City

  
[Bret Prebula \(Apr 7, 2025 11:47 PDT\)](#)

Bret Prebula, City Manager



Christina Penland, HR Administrator

### For SCMPEA

  
[Mary LaPlante \(Mar 7, 2025 14:10 PST\)](#)

Mary LaPlante, Managing Labor Relations Representative



Amber Kent, President



Dan Healy, Vice President



Jose Colin, Secretary


### For SCPOA




Shaun Du Fosse, Labor Relations Consultant

  
[Eric Vera \(Mar 12, 2025 17:30 PDT\)](#)


Eric Vera, President

  
[Tyler Camigi \(Mar 15, 2025 15:54 PDT\)](#)

Tyler Camigi, Vice President

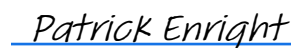
  
[Kara Robinson \(Mar 15, 2025 18:43 PDT\)](#)

Kara Robinson, Secretary

  
[James Olsen \(Apr 4, 2025 13:24 PDT\)](#)

James Olsen, Member at Large

### Approved as to Form

  
[Patrick Enright \(Apr 4, 2025 15:13 PDT\)](#)

Patrick Enright, City Attorney  
Richards Watson Gershon











# Stipulation and Agreement Dispatch Supervisor Unit Modification

















Final Audit Report

















2025-04-07

Created:	2025-03-07
By:	Christina Penland (cpenland@suisun.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjMz2keFOb2hRoeVbV72LMTB3ZEXRAAw1

## "Stipulation and Agreement Dispatch Supervisor Unit Modification" History

-  Document created by Christina Penland (cpenland@suisun.com)  
2025-03-07 - 7:33:29 PM GMT- IP address: 50.204.66.138
-  Document emailed to mary@cityemployees.net for signature  
2025-03-07 - 7:36:24 PM GMT
-  Email viewed by mary@cityemployees.net  
2025-03-07 - 10:09:20 PM GMT- IP address: 172.90.157.87
-  Signer mary@cityemployees.net entered name at signing as Mary La Plante  
2025-03-07 - 10:10:10 PM GMT- IP address: 172.90.157.87
-  Document e-signed by Mary La Plante (mary@cityemployees.net)  
Signature Date: 2025-03-07 - 10:10:12 PM GMT - Time Source: server- IP address: 172.90.157.87
-  Document emailed to Amber Kent (akent@suisun.com) for signature  
2025-03-07 - 10:10:15 PM GMT
-  Email viewed by Amber Kent (akent@suisun.com)  
2025-03-07 - 10:13:43 PM GMT- IP address: 50.204.66.138
-  Document e-signed by Amber Kent (akent@suisun.com)  
Signature Date: 2025-03-07 - 10:14:09 PM GMT - Time Source: server- IP address: 50.204.66.138
-  Document emailed to Dan Healy (dhealy@suisun.com) for signature  
2025-03-07 - 10:14:10 PM GMT
-  Email viewed by Dan Healy (dhealy@suisun.com)  
2025-03-08 - 5:10:57 AM GMT- IP address: 104.28.124.99

-  Document e-signed by Dan Healy (dhealy@suisun.com)  
Signature Date: 2025-03-11 - 3:12:05 PM GMT - Time Source: server- IP address: 104.28.85.99
-  Document emailed to Jose Colin (jcolin@suisun.com) for signature  
2025-03-11 - 3:12:08 PM GMT
-  Email viewed by Jose Colin (jcolin@suisun.com)  
2025-03-12 - 3:50:23 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Jose Colin (jcolin@suisun.com)  
Signature Date: 2025-03-12 - 3:51:39 PM GMT - Time Source: server- IP address: 50.204.66.138
-  Document emailed to Shaun Du Fosee (sdufosee@mastagni.com) for signature  
2025-03-12 - 3:51:42 PM GMT
-  Email viewed by Shaun Du Fosee (sdufosee@mastagni.com)  
2025-03-12 - 9:46:59 PM GMT- IP address: 104.28.206.135
-  Document e-signed by Shaun Du Fosee (sdufosee@mastagni.com)  
Signature Date: 2025-03-12 - 9:47:49 PM GMT - Time Source: server- IP address: 104.28.206.135
-  Document emailed to evera@suisun.com for signature  
2025-03-12 - 9:47:51 PM GMT
-  Email viewed by evera@suisun.com  
2025-03-13 - 0:29:08 AM GMT- IP address: 104.47.64.254
-  Signer evera@suisun.com entered name at signing as Eric Vera  
2025-03-13 - 0:30:44 AM GMT- IP address: 50.204.66.138
-  Document e-signed by Eric Vera (evera@suisun.com)  
Signature Date: 2025-03-13 - 0:30:46 AM GMT - Time Source: server- IP address: 50.204.66.138
-  Document emailed to tcamigi@suisun.com for signature  
2025-03-13 - 0:30:48 AM GMT
-  Email viewed by tcamigi@suisun.com  
2025-03-13 - 0:38:53 AM GMT- IP address: 146.75.154.1
-  Signer tcamigi@suisun.com entered name at signing as Tyler Camigi  
2025-03-15 - 10:54:05 PM GMT- IP address: 104.28.123.64
-  Document e-signed by Tyler Camigi (tcamigi@suisun.com)  
Signature Date: 2025-03-15 - 10:54:07 PM GMT - Time Source: server- IP address: 104.28.123.64
-  Document emailed to Kara Robinson (krobinson@suisun.com) for signature  
2025-03-15 - 10:54:09 PM GMT

-  Email viewed by Kara Robinson (krobinson@suisun.com)  
2025-03-15 - 10:55:24 PM GMT- IP address: 73.170.101.186
-  Document e-signed by Kara Robinson (krobinson@suisun.com)  
Signature Date: 2025-03-16 - 1:43:21 AM GMT - Time Source: server- IP address: 50.204.66.138
-  Document emailed to jolsen@suisun.com for signature  
2025-03-16 - 1:43:23 AM GMT
-  Email viewed by jolsen@suisun.com  
2025-04-04 - 8:22:31 PM GMT- IP address: 174.194.197.211
-  New document URL requested by jolsen@suisun.com  
2025-04-04 - 8:22:57 PM GMT- IP address: 174.194.197.211
-  Signer jolsen@suisun.com entered name at signing as James Olsen  
2025-04-04 - 8:24:48 PM GMT- IP address: 174.194.197.211
-  Document e-signed by James Olsen (jolsen@suisun.com)  
Signature Date: 2025-04-04 - 8:24:50 PM GMT - Time Source: server- IP address: 174.194.197.211
-  Document emailed to penright@rwglaw.com for signature  
2025-04-04 - 8:24:52 PM GMT
-  Email viewed by penright@rwglaw.com  
2025-04-04 - 10:07:06 PM GMT- IP address: 188.241.249.140
-  Signer penright@rwglaw.com entered name at signing as Patrick Enright  
2025-04-04 - 10:13:51 PM GMT- IP address: 38.99.206.170
-  Document e-signed by Patrick Enright (penright@rwglaw.com)  
Signature Date: 2025-04-04 - 10:13:53 PM GMT - Time Source: server- IP address: 38.99.206.170
-  Document emailed to Christina Penland (cpenland@suisun.com) for signature  
2025-04-04 - 10:13:55 PM GMT
-  Email viewed by Christina Penland (cpenland@suisun.com)  
2025-04-05 - 0:37:30 AM GMT- IP address: 104.47.64.254
-  Document e-signed by Christina Penland (cpenland@suisun.com)  
Signature Date: 2025-04-05 - 0:37:46 AM GMT - Time Source: server- IP address: 50.204.66.138
-  Document emailed to Bret Prebula (bprebula@suisun.com) for signature  
2025-04-05 - 0:37:48 AM GMT
-  Email viewed by Bret Prebula (bprebula@suisun.com)  
2025-04-07 - 6:46:49 PM GMT- IP address: 104.47.64.254

 Document e-signed by Bret Prebula (bprebula@suisun.com)

Signature Date: 2025-04-07 - 6:47:01 PM GMT - Time Source: server- IP address: 50.204.66.138

 Agreement completed.

2025-04-07 - 6:47:01 PM GMT

THIS PAGE INTENTIONALLY LEFT BLANK

## AGENDA TRANSMITTAL

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Agreement with Kosmont Realty for Real Estate Advisory and Surplus Land Act Due-Diligence Service:

- a. Successor Agency Adoption of Resolution No. SA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.
- b. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.

---

**FISCAL IMPACT:** The proposed contract amount is not to exceed \$50,000. Sufficient funding is available in 010-3410-91140 current FY 2025. Additional expenses may be incurred for public meeting participation or optional brokerage services, if separately authorized.

---

**STRATEGIC PLAN:** To provide good governance.

---

**BACKGROUND:** On May 13, 2025, the City Council approved a contract with Kosmont Realty for professional services related to the disposal of City-owned property. Following a review of the adopted resolution, it was determined that the City Council needs to take additional action in its roles as the Suisun City Housing Authority and as the governing body for the Successor Agency. Therefore, staff is now seeking formal approval for the same contract that was previously authorized by the City Council to ensure proper procedural compliance.

The Suisun City Housing Authority and its Successor Agency own various properties that are candidates for future development or disposition. In light of the Surplus Land Act (SLA) and other regulatory requirements governing the sale or lease of public land, it is necessary to undertake a comprehensive evaluation of these parcels to determine viable approaches for disposition while ensuring full legal compliance.

Kosmont Realty, a California-licensed real estate brokerage and advisory firm, has submitted a proposal to provide technical assistance with the City's land disposition strategy, including property due diligence, SLA compliance support, and real estate transaction advisory services. Earlier this fiscal year, Kosmont was contracted and delivered our recently adopted Economic Development Strategy and Implementation Plan (EDSIP).

---

**STAFF REPORT:** Under the proposed agreement, Kosmont Realty will support the City by undertaking the following key tasks over an estimated six-month period:

**Task 1: Project Kick-Off**

An initial meeting to review City priorities for the subject properties and gather relevant background materials.

#### Task 2: Due Diligence and Regulatory Review

Evaluation of market conditions, site constraints, and legal requirements impacting the properties. Kosmont will provide a memo summarizing findings and alternative disposition strategies.

#### Task 3: Surplus Land Act Compliance

Preparation of surplus land declarations and Notices of Availability (NOAs), and management of the required 60-day notice period under the SLA.

#### Task 4: Evaluation of Respondents & Transaction Advisory

Assistance with review of expressions of interest, negotiations, and presentation of recommendations to City Council regarding disposition opportunities.

#### Optional Task 5: Brokerage Services (As Authorized by the City).

If the City elects to move forward with disposition, Kosmont may act as a broker to facilitate real estate transactions in full compliance with SLA requirements. This optional task would require a separate agreement or authorization.

Kosmont Realty's services will be provided on an hourly basis in accordance with their 2025 public agency fee schedule (see Attachment A of the proposal), with a not-to-exceed cap of \$50,000 for Tasks 1 through 4. Any future engagement for brokerage services or an expanded scope would require separate Council authorization.

Kosmont will commence work upon execution of the agreement and receipt of relevant background materials from the City. Invoices will be submitted monthly, and the City will only be charged for actual time worked and expenses incurred

---

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

- a. Successor Agency Adoption of Resolution No. SA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.
- b. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.

---

#### **DOCUMENTS ATTACHED:**

1. Successor Agency Adoption of Resolution No. SA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.
2. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_: Approving an Agreement with Kosmont Real Estate for Pre-disposition Real Estate Advisory and Surplus Land Act Due-Diligence Services in Connection with Various City-Owned Properties within Suisun City.
3. Kosmont Proposal/Agreement

---

**PREPARED BY:**

Jim Bermudez, Development Services Director

**REVIEWED BY:**

Jim Bermudez, Development Services Director

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. Sucessor Agency Kosmont Real Estate dba Kosmont Realty Agreement Resolution.docx
2. Housing Authority Kosmont Real Estate dba Kosmont Realty Agreement Resolution
3. 05.06.2025 Kosmont Professional Services Agreement

.

## **RESOLUTION NO. 2025 –**

### **A RESOLUTION OF THE SUCCESSOR AGENCY OF THE CITY OF SUISUN CITY APPROVING AN AGREEMENT WITH KOSMONT REAL ESTATE SERVICES DBA KOSMONT REALTY FOR PRE-DISPOSITION REAL ESTATE ADVISORY AND SURPLUS LAND ACT DUE-DILIGENCE SERVICES IN CONNECTION WITH VARIOUS PROPERTIES WITHIN SUISUN CITY.**

**WHEREAS**, the City of Suisun City, Suisun City Housing Authority, and its Successor Agency own multiple parcels of land that are being considered for future disposition and/or development; and

**WHEREAS**, the disposition of publicly owned property is subject to specific legal requirements under the California Surplus Land Act (SLA), Government Code Section 54220 et seq., which require local agencies to follow defined procedures before disposing of surplus property; and

**WHEREAS**, Kosmont Real Estate Services (“Kosmont Realty”) is a licensed California real estate brokerage and municipal advisory firm with the experience and qualifications necessary to support the City in navigating these requirements and identifying viable options for property disposition; and

**WHEREAS**, Kosmont Realty has submitted a proposal dated March 20, 2025, to provide pre-disposition due diligence services, SLA compliance assistance, and optional real estate brokerage services for various City-owned parcels for a total not-to-exceed amount of \$50,000 for Tasks 1 through 4; and

**WHEREAS**, City staff recommends approval of the proposed professional services agreement with Kosmont Realty to support strategic property evaluation and compliance with state law;

**NOW, THEREFORE, BE IT RESOLVED** by the Successor Agency of the City of Suisun City, as follows:

1. The Successor Agency hereby approves the professional services agreement with Kosmont Real Estate Services dba Kosmont Realty in substantially the form presented, for a total not-to-exceed amount of \$50,000 for Tasks 1 through 4 as described in the Scope of Services;
2. The City Manager is further authorized to take any and all actions necessary to implement this resolution.
3. Future services beyond the approved scope, including optional brokerage services described in Task 5 of the proposal, shall require separate authorization by the City Council.

**PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of Suisun City

duly held on Tuesday, the 3<sup>rd</sup> day of June 2025, by the following vote:

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this 3<sup>rd</sup> day of June 2025.

\_\_\_\_\_  
Anita Skinner  
City Clerk

## **RESOLUTION NO. 2025 –**

### **A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SUISUN CITY APPROVING AN AGREEMENT WITH KOSMONT REAL ESTATE SERVICES DBA KOSMONT REALTY FOR PRE-DISPOSITION REAL ESTATE ADVISORY AND SURPLUS LAND ACT DUE-DILIGENCE SERVICES IN CONNECTION WITH VARIOUS PROPERTIES WITHIN SUISUN CITY.**

**WHEREAS**, the City of Suisun City, Suisun City Housing Authority, and its Successor Agency own multiple parcels of land that are being considered for future disposition and/or development; and

**WHEREAS**, the disposition of publicly owned property is subject to specific legal requirements under the California Surplus Land Act (SLA), Government Code Section 54220 et seq., which require local agencies to follow defined procedures before disposing of surplus property; and

**WHEREAS**, Kosmont Real Estate Services (“Kosmont Realty”) is a licensed California real estate brokerage and municipal advisory firm with the experience and qualifications necessary to support the City in navigating these requirements and identifying viable options for property disposition; and

**WHEREAS**, Kosmont Realty has submitted a proposal dated March 20, 2025, to provide pre-disposition due diligence services, SLA compliance assistance, and optional real estate brokerage services for various City-owned parcels for a total not-to-exceed amount of \$50,000 for Tasks 1 through 4; and

**WHEREAS**, City staff recommends approval of the proposed professional services agreement with Kosmont Realty to support strategic property evaluation and compliance with state law;

**NOW, THEREFORE, BE IT RESOLVED** by the Housing Authority of the City of Suisun City, as follows:

1. The Housing Authority hereby approves the professional services agreement with Kosmont Real Estate Services dba Kosmont Realty in substantially the form presented, for a total not-to-exceed amount of \$50,000 for Tasks 1 through 4 as described in the Scope of Services;
2. The City Manager is further authorized to take any and all actions necessary to implement this resolution.
3. Future services beyond the approved scope, including optional brokerage services described in Task 5 of the proposal, shall require separate authorization by the City Council.

**PASSED AND ADOPTED** at a Regular Meeting of said City Council of the City of Suisun City

duly held on Tuesday, the 3<sup>rd</sup> day of June 2025, by the following vote:

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this 3<sup>rd</sup> day of June 2025.

\_\_\_\_\_  
Anita Skinner  
City Clerk

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is dated May \_\_, 2025 ("Effective Date") and is between the City of Suisun City, a California municipal corporation, the Successor Agency to the Redevelopment Agency of Suisun City and the Housing Authority of Suisun City (collectively referred to as "**City**" or "**Owner**") and Kosmont Real Estate Services ("**KRES**") dba Kosmont Realty ("**KR**" or "**Consultant**"), a licensed California brokerage firm (Department of Real Estate License #02058445). City and Consultant are sometimes referred to herein as the "Parties", and individually as a "Party".

### RECITALS

A. City desires to utilize the services of Consultant as an independent contractor to provide assistance with evaluation of alternative approaches for the disposition of publicly owned land, and assistance with the Surplus Land Act ("**SLA**") process.

B. Consultant represents that it is fully qualified to perform such services by virtue of its experience and the training, education and expertise of its principals and employees.

C. City desires to retain Consultant and Consultant desires to serve City to perform these services in accordance with the terms and conditions of this Agreement.

The Parties therefore agree as follows:

#### 1. **Consultant's Services.**

A. Scope of Services. Consultant shall perform the services described in the Scope of Services (the "Services") for City owned parcels (APN's: 0032-130-010, 020, 030, 040, 060, 0032-141-130, 140, 160, 0032-180-170, 580, 0032-200-320, 0032-282-040, 050 and 0032-292-010) ("Properties") within Suisun City and Consultant shall provide assistance with evaluation of alternative approaches for the disposition of publicly owned land, and assistance with the Surplus Land Act ("SLA") process], attached as **Exhibit A**. City may request, in writing, changes in the Scope of Services to be performed. Any changes to the scope or cost of work must be in writing and mutually agreed upon by the Parties.

B. Party Representatives. For the purposes of this Agreement, the City Representative shall be the City Manager, or such other person designated in writing by the City Manager (the "City Representative"). For the purposes of this Agreement, the Consultant Representative shall be Joseph Dieguez, Senior Managing Director (the "Consultant Representative"). The Consultant Representative shall directly manage Consultant's Services under this Agreement. Consultant shall not change the Consultant Representative without City's prior written consent.

C. Time for Performance. Consultant shall commence the Services on the Effective Date and shall perform all Services by the deadline established by the City Representative or, if no deadline is established, with reasonable diligence.

D. Standard of Performance. Consultant shall perform all Services under this Agreement in accordance with the standard of care generally exercised by like professionals under similar circumstances and in a manner reasonably satisfactory to City.

E. Personnel. Consultant has, or will secure at its own expense, all personnel required to perform the Services required under this Agreement. All of the Services required under this Agreement shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such Services.

F. Compliance with Laws. Consultant shall comply with all applicable federal, state and local laws, ordinances, codes, regulations and requirements.

G. Permits and Licenses. Consultant shall obtain and maintain during the Agreement term all necessary licenses, permits and certificates required by law for the provision of Services under this Agreement, including a business license.

2. Term of Agreement. The term of this Agreement shall be 2 years from the Effective Date, unless sooner terminated as provided in Section 12 of this Agreement or extended.

### 3. Compensation.

A. Compensation. As full compensation for Services satisfactorily rendered, City shall pay Consultant at the hourly rates set forth in the Approved Fee Schedule attached hereto as **Exhibit B**. In no event shall Consultant be paid more than \$50,000 (the "Maximum Compensation") at the professional services (hourly) fees at KR's billing rates as shown forth in Exhibit B. KR will perform Task 1-4 advisory services for as many of the Properties as feasible within the identified budget as mutually agreed to by City and Consultant. Future increases in budget will require written approval by City in advance. Budget may be increased by City in writing at any time.

B. Expenses. The amount set forth in paragraph 3.A. above excludes reimbursement for all Additional Expense incurred in the performance of this Agreement as set forth in **Exhibit B**.

C. Unauthorized Services and Unanticipated Expenses. City will not pay for any services not specified in the Scope of Services, unless the City Council or the City Representative, if applicable, and the Consultant Representative authorize such services in writing prior to Consultant's performance of those services or incurrence of additional expenses. Any additional services authorized by the City Council, or (where authorized) the City Manager shall be compensated at the rates set forth in **Exhibit B**, or, if not

specified, at a rate mutually agreed to by the Parties. At the request of the Consultant, the City Council may, in writing, reimburse Consultant for an unanticipated expense at its actual cost. City shall make payment for additional services and expenses in accordance with Section 4 of this Agreement.

**4. Method of Payment.**

A. Invoices. Consultant shall submit to City an invoice, on a monthly basis, for the Services performed pursuant to this Agreement. Each invoice shall itemize the Services rendered during the billing period, hourly rates charged, if applicable, and the amount due. City shall review each invoice and notify Consultant in writing within ten Business days of receipt of any disputed invoice amounts.

B. Payment. City shall pay all undisputed invoice amounts within 30 calendar days after receipt up to the Maximum Compensation set forth in Section 3 of this Agreement. City does not pay interest on past due amounts. City shall not withhold federal payroll, state payroll or other taxes, or other similar deductions, from payments made to Consultant. Notwithstanding the preceding sentence, if Consultant is a nonresident of California, City will withhold the amount required by the Franchise Tax Board pursuant to Revenue and Taxation Code Section 18662 and applicable regulations.

C. Audit of Records. Consultant shall make all records, invoices, time cards, cost control sheets and other records maintained by Consultant in connection with this Agreement available during Consultant's regular working hours to City for review and audit by City.

**5. Independent Contractor.** Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not, at any time, or in any manner, represent that it or any of its officers, agents or employees are in any manner employees of City.

**6. Information and Documents.**

A. Consultant covenants that all data, reports, documents, discussion, or other information (collectively "**Data**") developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed or released by Consultant without prior written authorization by City. City shall grant such authorization if applicable law requires disclosure. Consultant, its officers, employees, agents, or subcontractors shall not without written authorization from the City Manager or unless requested in writing by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement or relating to any project or property

located within the City. A response to a subpoena or court order shall not be considered "voluntary," provided Consultant gives City notice of such court order or subpoena.

B. Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder or with respect to any project or property located within the City. City may, but has no obligation to, represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, City's right to review any such response does not imply or mean the right by City to control, direct or rewrite the response.

C. All Data required to be furnished to City in connection with this Agreement shall become City's property, and City may use all or any portion of the Data submitted by Consultant as City deems appropriate. Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, designs, drawings, maps, models, computer files containing data generated for the Services, surveys, notes, and other documents prepared in the course of providing the Services shall become City's sole property and may be used, reused or otherwise disposed of by City without Consultant's permission. Consultant may take and retain copies of the written products as desired, but the written products shall not be the subject of a copyright application by Consultant.

D. Consultant's covenants under this Section shall survive the expiration or termination of this Agreement.

**7. Conflicts of Interest.** Consultant affirms that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the Services contemplated by this Agreement. Consultant and its officers, employees, associates and subcontractors, if any, shall comply with all conflict of interest statutes of the State of California applicable to Consultant's Services under this Agreement, including the Political Reform Act (Gov. Code § 81000, *et seq.*) and Government Code Section 1090. During the term of this Agreement, Consultant may perform similar Services for other clients, but Consultant and its officers, employees, associates and subcontractors shall not, without the City Representative's prior written approval, perform work for another person or entity for whom Consultant is not currently performing work that would require Consultant or one of its officers, employees, associates or subcontractors to abstain from a decision under this Agreement pursuant to a conflict of interest statute. Consultant shall incorporate a clause substantially similar to this Section into any subcontract that Consultant executes in connection with the performance of this Agreement.

## **8. Indemnification, Hold Harmless, and Duty to Defend.**

### **A. Indemnities.**

1) To the fullest extent permitted by law, Consultant shall, at its sole cost and expense, defend, hold harmless and indemnify City and its elected officials, officers, attorneys, agents, employees, designated volunteers, successors, assigns and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees"), from and against any and all damages, costs, expenses, liabilities, claims, demands, causes of action, proceedings, expenses, judgments, penalties, liens, and losses of any nature whatsoever, including fees of accountants, attorneys, or other professionals and all costs associated therewith and the payment of all consequential damages (collectively "Liabilities"), in law or equity, whether actual, alleged or threatened, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Consultant, its officers, agents, servants, employees, subcontractors, materialmen, consultants or their officers, agents, servants or employees (or any entity or individual that Consultant shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for Liabilities arising from the sole negligence or willful misconduct of the Indemnitees as determined by court decision or by the agreement of the Parties. Consultant shall defend the Indemnitees in any action or actions filed in connection with any Liabilities with counsel of the Indemnitees' choice, and shall pay all costs and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense. Consultant shall reimburse the Indemnitees for reasonable legal expenses and costs incurred by Indemnitees in connection therewith.

2) Consultant shall pay all required taxes on amounts paid to Consultant under this Agreement, and indemnify and hold City harmless from any and all taxes, assessments, penalties, and interest asserted against City by reason of the independent contractor relationship created by this Agreement.

3) Consultant shall fully comply with the workers' compensation law regarding Consultant and Consultant's employees. Consultant shall indemnify and hold City harmless from any failure of Consultant to comply with applicable workers' compensation laws.

4) City may offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant's failure to promptly pay to City any reimbursement or indemnification arising under this subparagraph A.2).

5) Consultant shall obtain executed indemnity agreements with provisions identical to those in this Section from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnity obligations, Consultant

shall be fully responsible and indemnify, hold harmless and defend the Indemnitees from and against any and all Liabilities at law or in equity, whether actual, alleged or threatened, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Consultant's subcontractor, its officers, agents, servants, employees, subcontractors, materialmen, consultants or their officers, agents, servants or employees (or any entity or individual that Consultant's subcontractor shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for Liabilities arising from the sole negligence or willful misconduct of the Indemnitees as determined by court decision or by the agreement of the Parties.

Workers' Compensation Acts not Limiting. Consultant's indemnifications and obligations under this Section, or any other provision of this Agreement, shall not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.

B. Survival of Terms. Consultant's indemnifications and obligations under this Section shall survive the expiration or termination of this Agreement for a period not to exceed three (3) years.

## **9. Insurance.**

A. Minimum Scope and Limits of Insurance. Consultant shall procure and at all times during the term of this Agreement carry, maintain, and keep in full force and effect, insurance as follows:

1) Commercial General Liability Insurance with a minimum limit of \$2,000,000.00 per occurrence for bodily injury, personal injury and property damage and a general aggregate limit of \$2,000,000.00 per project or location. If Consultant is a limited liability company, the commercial general liability coverage shall be amended so that Consultant and its managers, affiliates, employees, agents and other persons necessary or incidental to its operation are insureds.

2) Automobile Liability Insurance for any owned, non-owned or hired vehicle used in connection with the performance of this Agreement with a combined single limit of \$2,000,000.00 per accident for bodily injury and property damage. If Consultant does not use any owned, non-owned or hired vehicles in the performance of Services under this Agreement, Consultant shall obtain a non-owned auto endorsement to the Commercial General Liability policy required under subparagraph A.1) of this Section.

3) Workers' Compensation Insurance as required by the State of California and Employer's Liability Insurance with a minimum limit of \$1,000,000.00 per accident for bodily injury or disease. If Consultant has no employees while performing Services under this Agreement, workers' compensation policy is not required, but Consultant shall execute a declaration that it has no employees.

4) Professional Liability/Errors and Omissions Insurance with minimum limits of \$2,000,000.00 per claim and in aggregate.

B. Acceptability of Insurers. The insurance policies required under this Section shall be issued by an insurer admitted to write insurance in the State of California with a rating of A:VII or better in the latest edition of the A.M. Best Insurance Rating Guide. Self-insurance shall not be considered to comply with the insurance requirements under this Section.

C. Additional Insured. The commercial general and automobile liability policies shall contain an endorsement naming City and its elected and appointed officials, officers, employees, agents and volunteers as additional insureds. This provision shall also apply to any excess/umbrella liability policies.

D. Primary and Non-Contributing. The insurance policies required under this Section shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance available to City. Any insurance or self-insurance maintained by City, its elected and appointed officials, officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.

E. Consultant's Waiver of Subrogation. The insurance policies required under this Section shall not prohibit Consultant and Consultant's employees, agents or subcontractors from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against City.

F. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by City. At City's option, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond guaranteeing payment of losses and expenses.

G. Cancellations or Modifications to Coverage. Consultant shall not cancel, reduce or otherwise modify the insurance policies required by this Section during the term of this Agreement. The commercial general and automobile liability policies required under this Agreement shall be endorsed to state that should the issuing insurer cancel the policy before the expiration date, the issuing insurer will endeavor to mail 30 days' prior written notice to City. If any insurance policy required under this Section is canceled or reduced in coverage or limits, Consultant shall, within two Business Days of notice from the insurer, phone, fax or notify City via certified mail, return receipt requested, of the cancellation of or changes to the policy.

H. City Remedy for Noncompliance. If Consultant does not maintain the policies of insurance required under this Section in full force and effect during the term of this Agreement, or in the event any of Consultant's policies do not comply with the requirements under this Section, City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may, but has no duty to, take out the necessary insurance and pay, at Consultant's expense, the premium thereon.

Consultant shall promptly reimburse City for any premium paid by City or City may withhold amounts sufficient to pay the premiums from payments due to Consultant.

I. Evidence of Insurance. Prior to the performance of Services under this Agreement, Consultant shall furnish City's Risk Manager with a certificate or certificates of insurance and all original endorsements evidencing and effecting the coverages required under this Section. The endorsements are subject to City's approval. Consultant may provide complete, certified copies of all required insurance policies to City. Consultant shall maintain current endorsements on file with City's Risk Manager. Consultant shall provide proof to City's Risk Manager that insurance policies expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Consultant shall furnish such proof at least two weeks prior to the expiration of the coverages.

J. Subcontractor Insurance Requirements. Consultant shall require each of its subcontractors that perform Services under this Agreement to maintain insurance coverage that meets all of the requirements of this Section.

## **10. Mutual Cooperation.**

A. City's Cooperation. City shall provide Consultant with all pertinent Data, documents and other requested information as is reasonably available for Consultant's proper performance of the Services required under this Agreement.

B. Consultant's Cooperation. In the event any claim or action is brought against City relating to Consultant's performance of Services rendered under this Agreement, Consultant shall render any reasonable assistance that City requires.

11. Records and Inspections. Consultant shall maintain complete and accurate records with respect to time, costs, expenses, receipts, correspondence, and other such information required by City that relate to the performance of the Services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. Consultant shall provide free access to City, its designees and representatives at reasonable times, and shall allow City to examine and audit the books and records, to make transcripts therefrom as necessary, and to inspect all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of three years after receipt of final payment.

## **12. Termination of Agreement.**

A. Right to Terminate. City may terminate this Agreement at any time, at will, for any reason or no reason, after giving written notice to Consultant at least five calendar days before the termination is to be effective. Consultant may terminate this Agreement at any time, at will, for any reason or no reason, after giving written notice to City at least 60 calendar days before the termination is to be effective.

B. Obligations upon Termination. Consultant shall cease all work under this Agreement on or before the effective date of termination specified in the notice of termination. In the event of City's termination of this Agreement due to no fault or failure of performance by Consultant, City shall pay Consultant based on the percentage of work satisfactorily performed up to the effective date of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the Services required by this Agreement. Consultant shall have no other claim against City by reason of such termination, including any claim for compensation.

**13. Force Majeure.** Consultant shall not be liable for any failure to perform its obligations under this Agreement if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to acts of God, embargoes, inability to obtain labor or materials or reasonable substitutes for labor or materials, governmental restrictions, judicial orders, enemy or hostile governmental action, fire or other casualty, or other causes beyond Consultant's reasonable control and not due to any act by Consultant.

**14. Default.**

A. Consultant's failure to comply with the provisions of this Agreement shall constitute a default. In the event that Consultant is in default for cause under the terms of this Agreement, City shall have no obligation or duty to continue compensating Consultant for any work performed after the date of default.

B. In addition to the right to terminate pursuant to Section 12, if the City Manager determines that Consultant is in default in the performance of any of the terms or conditions of this Agreement, City shall serve Consultant with written notice of the default. Consultant shall have ten calendar days after service upon it of the notice in which to cure the default by rendering a satisfactory performance. In the event that Consultant fails to cure its default within such period of time, City may, notwithstanding any other provision of this Agreement, terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

**15. Notices.** Any notice, consent, request, demand, bill, invoice, report or other communication required or permitted under this Agreement shall be in writing and conclusively deemed effective: (a) on personal delivery, (b) on confirmed delivery by courier service during Consultant's and City's regular business hours, or (c) three Business Days after deposit in the United States mail, by first class mail, postage prepaid, and addressed to the Party to be notified as set forth below:

If to City:

Attn: \_\_\_\_\_  
City of Suisun City  
701 Civic Center Blvd

Suisun City, CA 94585

Email: \_\_\_\_\_

with a courtesy copy to:

Patrick Enright, City Attorney  
Richards, Watson & Gershon  
2300 N Street, Ste 3  
Sacramento, CA 95816  
Telephone: (415) 782-0358  
Email: [penright@rwglaw.com](mailto:penright@rwglaw.com)

If to Consultant:

Attn: Larry J Kosmont  
Kosmont Realty

1601 N Sepulveda Blvd., #382  
Manhattan Beach, CA 90266

**16. Non-Discrimination and Equal Employment Opportunity.** In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor or applicant for employment because of race, color, religious creed, sex, gender, gender identity, gender expression, marital status, national origin, ancestry, age, physical disability, mental disability, medical condition, genetic information, sexual orientation or other basis prohibited by law. Consultant will take affirmative action to ensure that subcontractors and applicants are employed, and that employees are treated during employment, without regard to their race, color, religious creed, sex, gender, gender identity, gender expression, marital status, national origin, ancestry, age, physical disability, mental disability, medical condition, genetic information or sexual orientation.

**17. Prohibition of Assignment and Delegation.** Consultant shall not assign any of its rights or delegate any of its duties under this Agreement, either in whole or in part, without City's prior written consent. City's consent to an assignment of rights under this Agreement shall not release Consultant from any of its obligations or alter any of its primary obligations to be performed under this Agreement. Any attempted assignment or delegation in violation of this Section shall be void and of no effect and shall entitle City to terminate this Agreement. As used in this Section, "assignment" and "delegation" means any sale, gift, pledge, hypothecation, encumbrance or other transfer of all or any portion of the rights, obligations, or liabilities in or arising from this Agreement to any person or entity, whether by operation of law or otherwise, and regardless of the legal form of the transaction in which the attempted transfer occurs.

**18. No Third Party Beneficiaries Intended.** This Agreement is made solely for the benefit of the Parties to this Agreement and their respective successors and assigns, and no other person or entity may have or acquire a right by virtue of this Agreement.

**19. Waiver.** No delay or omission to exercise any right, power or remedy accruing to City under this Agreement shall impair any right, power or remedy of City, nor shall it be construed as a waiver of, or consent to, any breach or default. No waiver of any breach, any failure of a condition, or any right or remedy under this Agreement shall be (1) effective unless it is in writing and signed by the Party making the waiver, (2) deemed to be a waiver of, or consent to, any other breach, failure of a condition, or right or remedy, or (3) deemed to constitute a continuing waiver unless the writing expressly so states.

**20. Final Payment Acceptance Constitutes Release.** The acceptance by Consultant of the final payment made under this Agreement shall operate as and be a release of City from all claims and liabilities for compensation to Consultant for anything done, furnished or relating to Consultant's work or services. Acceptance of payment shall be any negotiation of City's check or the failure to make a written extra compensation claim within ten calendar days of the receipt of that check. However, approval or payment by City shall not constitute, nor be deemed, a release of the responsibility and liability of Consultant, its employees, subcontractors and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by City for any defect or error in the work prepared by Consultant, its employees, subcontractors and agents.

**21. Corrections.** In addition to the above indemnification obligations, Consultant shall correct, at its expense, all errors in the work which may be disclosed during City's review of Consultant's report or plans. Should Consultant fail to make such correction in a reasonably timely manner, such correction may be made by City, and the cost thereof shall be charged to Consultant. In addition to all other available remedies, City may deduct the cost of such correction from any retention amount held by City or may withhold payment otherwise owed Consultant under this Agreement up to the amount of the cost of correction.

**22. Non-Appropriation of Funds.** Payments to be made to Consultant by City for services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted fund. In the event that City does not appropriate sufficient funds for payment of Consultant's services beyond the current fiscal year, this Agreement shall cover payment for Consultant's services only to the conclusion of the last fiscal year in which City appropriates sufficient funds and shall automatically terminate at the conclusion of such fiscal year.

**23. Exhibits.** Exhibits A and B constitute a part of this Agreement and are incorporated into this Agreement by this reference. If any inconsistency exists or arises between a provision of this Agreement and a provision of any exhibit, or between a provision of this Agreement and a provision of Consultant's proposal, the provisions of this Agreement shall control.

**24. Entire Agreement and Modification of Agreement.** This Agreement and all exhibits referred to in this Agreement constitute the final, complete and exclusive

statement of the terms of the agreement between the Parties pertaining to the subject matter of this Agreement and supersede all other prior or contemporaneous oral or written understandings and agreements of the Parties. No Party has been induced to enter into this Agreement by, nor is any Party relying on, any representation or warranty except those expressly set forth in this Agreement. This Agreement may not be amended, nor any provision or breach hereof waived, except in a writing signed by both Parties.

**25. Headings.** The headings in this Agreement are included solely for convenience of reference and shall not affect the interpretation of any provision of this Agreement or any of the rights or obligations of the Parties to this Agreement.

**26. Word Usage.** Unless the context clearly requires otherwise, (a) the words “shall,” “will” and “agrees” are mandatory and “may” is permissive; (b) “or” is not exclusive; and (c) “includes” or “including” are not limiting.

**27. Time of the Essence.** Time is of the essence in respect to all provisions of this Agreement that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a Party of the benefits of any grace or use period allowed in this Agreement.

**28. Business Days.** “Business days” means days City of Suisun City Hall is open for business.

**29. Governing Law and Choice of Forum.** This Agreement, and any dispute arising from the relationship between the Parties to this Agreement, shall be governed by and construed in accordance with the laws of the State of California, except that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement. Any dispute that arises under or relates to this Agreement (whether contract, tort or both) shall be resolved in a Superior Court with geographic jurisdiction over the City of Suisun City.

**30. Attorneys’ Fees.** In any litigation or other proceeding by which a Party seeks to enforce its rights under this Agreement (whether in contract, tort or both) or seeks a declaration of any rights or obligations under this Agreement, the prevailing Party shall be entitled to recover all attorneys’ fees, experts’ fees, and other costs actually incurred in connection with such litigation or other proceeding, in addition to all other relief to which that Party may be entitled.

**31. Severability.** If a court of competent jurisdiction holds any provision of this Agreement to be illegal, invalid or unenforceable for any reason, the validity of and enforceability of the remaining provisions of this Agreement shall not be affected and continue in full force and effect.

**32. Counterparts.** This Agreement may be executed in multiple counterparts, all of which shall be deemed an original, and all of which will constitute one and the same instrument.

**33. Corporate Authority.** Each person executing this Agreement on behalf of his or her Party warrants that he or she is duly authorized to execute this Agreement on behalf of that Party and that by such execution, that Party is formally bound to the provisions of this Agreement.

*[SIGNATURE PAGE FOLLOWS]*

The Parties, through their duly authorized representatives are signing this Agreement on the date stated in the introductory clause.

City:

City of Suisun City,  
a California municipal corporation

Consultant:

Kosmont Real Estate Services, dba  
Kosmont Realty  
a California Corporation

By: \_\_\_\_\_  
Name: Alma Hernandez  
Title: Mayor

ATTEST:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_

Name: Anita Skinner

Title: City Clerk

Successor Agency of the  
Redevelopment Agency of Suisun City

By: \_\_\_\_\_

Name: Alma Hernandez

Title: \_\_\_\_\_

Housing Authority of Suisun City

By: \_\_\_\_\_

Name: Alma Hernandez

Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_

Name: Patrick Enright

Title: City Attorney

## **EXHIBIT A SCOPE OF SERVICES**

The consulting services that KR will provide will be a relatively limited scope and duration, and advisory in nature. KR will be making recommendations only, which advise the City, including its elected officials, appointed officials and staff, which they can accept or reject. None of KR's staff will act in a capacity as a elected official, nor appointed official, nor as staff, nor as serving in a "designated position."

### **TASK 1: Project Kick Off**

To initiate the assignment KR will meet with the City to discuss planned future uses, reuses and/or development/disposition priorities for the Properties, and additional sites as may be identified, available market and property specific information (e.g. appraisals, market studies, zoning information, specific plans, etc.) and status of activities to date and anticipated timing of activities moving forward.

### **TASK 2: Initial Pre-Disposition Property Due Diligence and Regulatory Compliance Activities**

KR will conduct initial pre-disposition property due diligence to identify existing market conditions and constraints affecting the potential marketability, sale/lease, and development (e.g. zoning, adjacent uses, site configuration, known environmental condition) of the Properties as well as evaluate market value/pricing ranges, and potential options/approaches to productively advance the future disposition and/or development of the Properties.

KR will also consider potential regulatory requirements in conjunction with the Client's legal counsel in connection with the disposition of the Properties to satisfy compliance with the SLA and/or other legislative requirements as may be appropriate. KR will provide a brief memorandum summarizing findings and observations regarding potential alternative approaches in connection with future disposition and development of the Properties. For Successor Agency Properties, the disposition will have to comply with dissolution law of the Oversight Board to approve any sale.

### **TASK 3: Surplus Land Act Process - Declaration and Notice of Availability (NOA)**

KR will assist with the preparation of the Surplus Land Act declaration and/or exemption. If the Properties are declared "surplus" by the City Council, KR will prepare the Notice of Availability ("NOA") as well as coordinate and manage the solicitation process required by the SLA for the Properties in list identified herein (as may be appropriate), which will require a 60-day notice period for respondents..

#### **TASK 4: Respondent Due Diligence/Public-Private Negotiations**

The SLA requires that the Client negotiate in good faith with respondents that timely submit a qualified notice of interest for a period of not less than 90-days. KR will be available to assist with reviewing notices of interest, evaluating proposals/offers submitted, and/or public-private transaction structuring and negotiations as may be required with the respondents for the disposition of the Properties. KR can also assist the Client with a presentation to the City Council that will seek authorization to proceed with prospective transaction (as mutually agreed upon between Client and KR).

#### **OPTIONAL TASK 5: Real Estate Brokerage Services**

In compliance with the statutory and procedural disposition requirements of the California SLA and pursuant to Department of Real Estate (“DRE”) licensing requirements, city and KR may enter into or authorize a direct, indirect and/or a cooperative broker relationship with other private sector and/or brokerages/brokers, as desired by City and mutually agreed upon by KR. The purpose of such an arrangement would be to leverage KR’s collective expertise, resources, market knowledge, and transaction-based relationships to successfully sell or lease the Properties, while enabling and assisting brokerage activity by other brokers/brokerage service firms involved in the SLA exposure and disposition process, and to maintain compliance with the sale and lease regulations set forth by the SLA.

As such, KR can be flexibly engaged, as directed by City and mutually agreed upon, to perform brokerage tasks with and independent of other brokerages services firms, retained by City or private sector entities, in soliciting selecting, and negotiating with a preferred buyer(s) developer(s) to effectuate the sale or lease of the Properties. These brokerage activities could include structuring presentations and negotiations with the California Department of Housing and Community Development (“HCD”) to achieve notice(s) of determination and related sale/lease procedure approvals, negotiation of purchase agreement documentation, coordination of escrow title, and ultimate sale or lease, and other transaction-based activities as may be required to close the transaction (as mutually agreed upon between KR and City). Compensation may include a share of commissions and/or fees as may be applicable and agreed upon.

## EXHIBIT B APPROVED FEE SCHEDULE

### Kosmont Realty 2025 Public Agency Fee Schedule

#### **Professional Services**

Chairman & CEO / President	\$525.00/hour
Senior Managing Director/Senior Advisor	\$395.00/hour
Managing Director	\$295.00/hour
Senior Director / Senior Project Analyst	\$205.00/hour
Director / Project Analyst / Project Manager	\$195.00/hour
Project Promotion/Graphics/GIS Mapping Services/Research	\$ 95.00/hour
Clerical Support	\$ 80.00/hour

---

- **Additional Expenses**

In addition to professional services (labor) fees:

- 1) An administrative fee for in-house copy, fax, phone, postage costs, digital/technological support and related administrative expenses will be charged, which will be computed at four percent (4.0 %) of monthly Kosmont Realty's professional service fees incurred; plus
- 2) Out-of-pocket expenditures, such as travel and mileage, professional printing, and delivery charges for messenger and overnight packages will be charged at cost.
- 3) Project/Market data sources for support of evaluation and analysis e.g., ESRI, Placer.ai, CoStar/STR, IMPLAN, ParcelQuest and other based on quoted project cost.
- 4) For Third Party Vendor(s) retained on behalf of Client (with Client's advance approval), fees and costs will be billed to Client at 1.1X (times) fees and costs.
- 5) Except as referenced above, under Section IV. Compensation, Consultant's attendance or participation at any public meeting, whether such participation is in person, digital, video and/or telephonic (e.g., *Board of Supervisors, Planning Commission, Public Agency Board, other*) requested by Client and are beyond those specifically identified in the Scope of Work will be billed at the professional services (hourly) fees as shown on this Attachment A.

- **Charges for Court/Deposition/Expert Witness-Related Appearances**

Court-related (non-preparation) activities, such as court appearances, depositions, mediation, arbitration, dispute resolution and other expert witness activities, will be charged at a court rate of 1.5 times scheduled rates, with a 4-hour minimum.

THIS PAGE INTENTIONALLY LEFT BLANK

## AGENDA TRANSMITTAL

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** City Council/Successor Agency/Housing Authority Approval of the Minutes of the Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on May 6, May 13, and May 20, 2025.

---

**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:** City Council/Successor Agency/Housing Authority Approval of the Minutes of the Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on May 6, May 13, and May 20, 2025.

---

**STAFF RECOMMENDATION:** City Council/Successor Agency/Housing Authority Approval of the Minutes of the Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on May 6, May 13, and May 20, 2025.

---

**DOCUMENTS ATTACHED:**

1. Minutes - May 6, Regular Meeting of the City Council-Successor Agency-Housing Authority
  2. Minutes - May 13, Special Meeting of the City Council-Successor Agency-Housing Authority
  3. Minutes - May 13, Regular Meeting of the City Council-Successor Agency-Housing Authority
  4. Minutes - May 20, Regular Meeting of the City Council-Successor Agency-Housing Authority
- 

**PREPARED BY:**

Anita Skinner, City Clerk

**REVIEWED BY:**

Bret Prebula, City Manager

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. [2025 05 06 cc sa ha 500 Minutes.docx](#)
  2. [2025 05 13 cc sa ha 630 Minutes.docx](#)
  3. [2025 05 13 special 400 Minutes.docx](#)
  4. [2025 05 20 cc sa ha 500 Minutes.docx](#)
- .



## 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, MAY 6, 2025

5:00 PM

---

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

---

#### 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: 811 2716 4463*

*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. – 818)

(Next City Council Res. No. 2025 – 34)

Next Suisun City Council Acting as Successor Agency Res. No. SA2025 - 02)

(Next Housing Authority Res. No. HA2025 – 03)

#### 5:00 P.M CLOSED SESSION

#### **CALL TO ORDER** 5:07

Mayor Hernandez called the meeting to order at 5:07pm.

#### **ROLL CALL**

PRESENT: Dawson, Hernandez, Pal, Shepherd, Washington

ABSENT: None

#### **CONFLICT OF INTEREST NOTIFICATION**

Council Member Pal stated that he had a conflict with Item #3.

*(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.)*

#### **Item #3**

William Towner, current Solano County Yacht Club Commander, spoke on the storage container on the Yacht Club site that they are working with Rodriguez High School art class to paint a mural on it.

Gary Miles, Yacht Club member, commented he understood they were within legal parameters; they met with staff and are now being told there are code violations.

Kim Dorset, Yacht Club Social Director, also spoke on the work that has been done with the Rodriguez High School art department.

Alicia Solomon, Rodriguez High School teacher, spoke on the art project that the kids were very excited to complete.

Mayor Hernandez thanked the members for being in attendance.

### **CLOSED SESSION**

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

#### **1. CONFERENCE WITH LABOR NEGOTIATOR**

A Closed Session will be held, Pursuant to Government Code Section 54957.6, to Conduct Labor Negotiations among:

Agency Negotiator: City Manager, Bret Prebula

Employee Organization:

SCEA (Suisun City Employees' Association); SCPOA

(Suisun City Police Officers Association); SCPFA (Suisun

City Professional Firefighters' Association);

SCMPEA (Suisun City Management and Professional Employees'

Association); Unrepresented Employees;

Temporary/Part-Time Employees.

#### **2. PUBLIC EMPLOYEE APPOINTMENT**

Title: Special Legal Counsel

#### **3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

A Closed Session will be held, pursuant to Government Code Section 54956.8 to conduct Negotiations regarding Real Property identified by APN 0032-180-580, located at the Solano Yacht Club, 703 Civic Center Drive, Suisun City, CA 94585.

Agency Negotiation: City Manager, Bret Prebula

Negotiating Parties: Solano Yacht Club

Subject: Terms and Conditions

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

Council entered into Closed Session at 5:21pm.

## **6:30 RECONVENE OPEN SESSION**

### **CALL TO ORDER**

Mayor Hernandez called the meeting to order at 6:38pm.

### **ROLL CALL**

PRESENT: Dawson, Hernandez, Pal, Shepherd, Washington

ABSENT: None

### **PLEDGE OF ALLEGIANCE**

Led by Council Member Shepherd.

### **INVOCATION**

Given by Clerk Skinner

### **CLOSED SESSION REPORT**

**Council will reconvene to closed session following regular meeting.**

### **APPROVAL OF REORDERING OF AGENDA**

**Motion by Vice Mayor Dawson to move Presentations before Public Comment and seconded by Council Member Pal. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, 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.)*

### **REPORTS (Informational items only.)**

City Manager Prebula commented on the Cinco de Mayo event; reported that PG&E was working on the lights on Crane Drive.

No City Attorney report.

### **PRESENTATIONS/APPOINTMENTS**

*(Presentations, Awards, Proclamations, Appointments).*

4. Proclamation Proclaiming May 11-17, 2025 to be "National Police Week" and May 15, 2025 as "Peace Officers Memorial Day" - (Hernandez: [Ahernandez@suisun.com](mailto:Ahernandez@suisun.com)).

Mayor Hernandez read the proclamation and presented by Vice Mayor Dawson. Officers thanked Council for their support. Council thanked the Officers for their dedication.

5. Proclamation Proclaiming April 27 - May 3, 2025 to be "National Small Business Week" - (Hernandez: [Ahernandez@suisun.com](mailto:Ahernandez@suisun.com)). Special recognition long time business Tri-City Glass and Mirror.

Mayor Hernandez read the proclamation.

Vince Guisande thanked council the for the special recognition

Council commended them for their continued support and dedication to the community.

6. Approving Appointments to the Environment and Climate Community Advisory Committee (Hernandez: [Ahernandez@suisun.com](mailto:Ahernandez@suisun.com)).

Council Member Pal appointed George Burkett.

Council Member Washington reappointed Karina Cook.

Mayor Hernandez reappointed Aleta George.

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

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NOES: None**

**ABSENT: None**

7. Introduction, Swearing in, and Badge Pinning for Fire Engineer Andrew Kegle and Firefighter Paramedic Andrew Farrell - (Lopez: [Blopez@suisun.com](mailto:Blopez@suisun.com)).

Chief Lopez read brief bios of each Firefighter and they were sworn in by Clerk Skinner.

Both Firefighter's thanked the council and are looking forward to working in Suisun City.

Council thanked them for their decision to serve in Suisun City.

### **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.)*

Eric Vera, President of POA, spoke on staffing, overtime and standby issues and gave an update on recent incidents and staffing for each incident.

Donna LeBlanc commented the city definitely needs more officers; BID Mother's Day Artesian Faire is Sunday, May 10<sup>th</sup> and volunteers are needed; RPM meeting and one item is the Heritage Park re-enhancement plan; Suisun Pride Event is 6/1 and is a family friendly event.

Erich Butcher spoke about the last day of operation for Virgil's Bait Shop which is 6/1; last ditch event was made last week of the Kellogg Street building, stated should things work hopefully they will be back.

Michelle Chavez comments on Humphrey Drive canal; also concerned about the lack of police staffing and the increased crime activity; glad city honored the police this evening and thanked them for what they do.

Chuck, Beautification Committee member, commented they are organizing an event to take care of trash; need additional garbage cans around the city; committee is here to serve.

Joe Joyce spoke on the Cinco de Mayo event, large crowd, moral support and manpower from the city and thanked those involved. Thanks to the Clean Team that came out and helped.

## **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. 2025-34: Approving a Professional Services Agreement with The Halle Group for Leadership Coaching and Organizational Development Services - (Prebula: Bprebula@suisun.com).
9. Council Adoption of Resolution No. 2025-35: Adopting the 6th Amendment to the Annual Appropriation Resolution No. 2024-87 to Appropriate Funds for the 2024 Sanitary Sewer and Storm Drain Pipe Lining Project - (Vue: nvue@suisun.com).
10. Council Adoption of Resolution No. 2025-36: Approving the First Amendment to the Project Labor Agreement for City Capital Improvement Projects Exceeding \$200,000 - (Prebula: Bprebula@suisun.com).
11. Council Adoption of Resolution No. 2025-37: Designating the City Manager, Finance Director, Finance Manager as Authorized Representatives to Apply and Obtain Disaster Assistance from Federal Emergency Management Agency (FEMA) and the Governor's Office of Emergency Services (Cal OES) for Declared Emergencies - (Luna: Bluna@suisun.com).
12. Council Adoption of Resolution No. 2025-38: Adopting Administrative Directive 26 (AD 26) Establishing an Environmentally Preferable Purchasing and Practices Policy (EPPP) - (Vue - Nvue@suisun.com).

### Joint City Council/Suisun City Council Acting as Successor Agency

13. Accept the Investment Report for the Quarter Ending March 31, 2025 - (Deol: Ldeol@suisun.com).

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

14. City Council/Successor Agency/Housing Authority Approval of the Minutes of the Meetings of the Suisun City Council, Suisun City Council Acting as Successor Agency, and Housing Authority held on April 15, 2025 and April 29, 2025; and approval of the Minutes of the Joint Suisun City Council and General Tax and Oversight Committee (Measure S) held on April 29, 2025 - (Skinner: [Clerk@suisun.com](mailto:Clerk@suisun.com)).

Mr. Prebula stated there was a correction on Item #8 regarding the Halle Group, there was a typo on the dollar amount, which has been corrected and new copies were presented to council before the meeting.

**Motion by Council Member Dawson to approve Consent Calendar and seconded by Council Member Shepherd. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NOES: None**

**ABSENT: None**

## **PUBLIC HEARING**

### City Council

15. Council Introduction and Waive Reading of Ordinance No.818: An Ordinance of the City Council of the City of Suisun City Adding Chapter 15.80.140 (Fire Hazard Severity Zones) Of Title 15 (Building and Construction) Of the Suisun City Municipal Code - (Lopez: [Blopez@suisun.com](mailto:Blopez@suisun.com)).

Chief Lopez introduced Fire Marshall Jose Colin who presented the report.

Council Member Pal left dais at 7:37pm and returned at 7:41pm

Mayor Hernandez opened the Public Hearing.

Steve Olry thanked the Chief and Fire Marshall for the report; concerned about the non-conforming property owners, McCoy Creek continues to be a big concern.

Chuck thanked the Chief and Fire Marshall for the report; comments on high winds in Suisun and how do we inform the public on how embers travel in 30 and 60 mph winds.

Council Member Washington left dais at 7:51pm and returned at 7:56pm.

Michelle Chavez thanked the Chief and Fire Marshall for report; Humphrey Canal comments and comments on educating the public.

There being no further comments Mayor Hernandez closed the Public Hearing.

Fire Marshall responded to comments. Notices were sent to property owners regarding clean up and will do compliance inspections 6/1.

Council asked clarify questions regarding county property that surrounds city limits is taken care of; contact our state officials to go to Cal Fire; Multi-jurisdictional hazard plan updates needed; are there possible funding mechanisms available;

**Motion by Council Member Dawson to approve Item 15 and seconded by Council Member Washington. Motion approved by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NOES: None**

**ABSENT: None**

### **GENERAL BUSINESS**

### **COUNCIL COMMENTS**

Council Member Washington commented on the email apps; theater comments and the fact the city doesn't have funding; thank you to all that attended Brew Bash and the sponsors; homeless issues in the downtown area and asked for CAPSolano do a presentation on what work is being done to alleviate the problem.

Council Member Pal commented on the 2x2 meeting with FSUSD; 8/9 back pack give away at St. Stephens and flyers will be sent as details are finalized; McCoy Creek comments.

Council Member Shepherd thanked council members for their updates.

Vice Mayor Dawson gave a shout out to Michelle Chavez and her team for clean up at Cinco de Mayo.

Mayor Hernandez commented the Solano Water Authority meeting for May has been cancelled; Thursday 5/15, is bike to school and bike to work day.

**REPORTS: (Informational items only)**

**ADJOURNMENT**

**Continue to closed session at 8:15pm.**

There being no further business the meeting was continued to the closed session at 8:15pm.

---

Anita Skinner, City Clerk



## MINUTES

### REGULAR MEETING OF THE SUISUN CITY COUNCIL, SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY, AND SUISUN CITY HOUSING AUTHORITY

TUESDAY, MAY 13, 2025

6:30 PM

---

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

---

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

**ZOOM MEETING INFORMATION:**

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

**MEETING ID:** 831 4843 7358

**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. – 818)

(Next City Council Res. No. 2025 – 38)

Next Suisun City Council Acting as Successor Agency Res. No. SA2025 - 02)

(Next Housing Authority Res. No. HA2025 – 03)

### **CALL TO ORDER**

Mayor Hernandez called the meeting to order at 6:34pm

Mayor Hernandez commented on email from last meeting that had been sent and the Clerk had reached out to the individual.

### **ROLL CALL**

PRESENT: Dawson, Hernandez, Pal, Shepherd, Washington

ABSENT: None

### **PLEDGE OF ALLEGIANCE**

Led by Vice Mayor Dawson.

## **INVOCATION**

Given by Clerk Skinner

## **APPROVAL OF REORDERING OF AGENDA**

**Motion by Council Member Pal to approve Agenda order and seconded by Council Member Shepherd. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NONE: 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.)*

## **REPORTS (Informational items only.)**

1. City Manager Update - (Prebula: [bprebula@suisun.com](mailto:bprebula@suisun.com)).
  - Crane Drive street light update with PGE
  - Drive around with Ruth Forney, walking tour of downtown area which included Vice Mayor Dawson and several Department Heads.
2. City Attorney Report - (Enright).
  - Norms and Procedures scheduled for the 6/3 meeting
  - City Attorney upcoming conference in Burlingame;

## **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.)*

Council Member Pal asked that the comments period for Item #6, Proposed Budget, be set at 5 minutes.

Steve Olry commented on recent carjacking at Driftwood Drive, Strategic Recovery Program and asked why approve as it stands, city does not have the numbers to build luxury apartments; light industrial and logistic centers would be better.

Jack C. Brown commented on the condition of the USA flag on top of City Hall.

Donna LeBlanc commented on the poor/low sound on Zoom, no clock on Zoom; Mother's Day event was fantastic; Pride Day on 6/1, family friendly; Public Works needs to stop killing the plants, plants with flowers should not be weed wacked; please try not to go past 10pm this evening.

Michelle Chavez commented the walk along was great; invite everyone to come out 5/17 for highway cleanup and to work on the planters along Hwy 12, meeting at Emperor Drive and Highway 12.

Tom LeBlanc comments on homelessness and asked what are we going to do to be in line with what the governor wants?

John Harter, President BID, thanked everyone who helped out with the Mother's Day event; Pride Day on 6/1.

## **PRESENTATIONS/APPOINTMENTS**

*(Presentations, Awards, Proclamations, Appointments).*

3. Proclamation Proclaiming May 18 - May 24, 2025 to be "National Safe Boating Week" - (Hernandez: [Ahernandez@suisun.com](mailto:Ahernandez@suisun.com)).

Mayor Hernandez read proclamation and presented by Council Member Washington to RPMA staff Member Joe Gatmen. Mr. Gatmen thanked the Council for the recognition.

## **CONSENT CALENDAR**

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

### City Council

4. Council Adoption of Resolution No. 2025-38: Approving an Agreement with Kosmont Real Estate Services dba Kosmont Realty for Pre-disposition Real Estate Advisory and Surplus Land Act due diligence Services in Connection with various City owned Properties within Suisun City - (Prebula: [Bprebula@suisun.com](mailto:Bprebula@suisun.com)).
5. Council Adoption of Resolution No. 2025-39: Requiring City Council Approval for Limited-Duration Appointments to Unbudgeted Positions - (Penland: [Cpenland@suisun.com](mailto:Cpenland@suisun.com)).

## **PUBLIC COMMENT**

### **ITEM #4**

Donna LeBlanc commented the staff report did not list APN's but after researching Donna named the addresses and location of properties referenced in the staff report.

Steve Olry concerned if we are making a good choice with Kosmont.

Mayor Hernandez pulled Item #4.

**Motion by Council Member Pal to approve Consent Calendar Item #5 and seconded by Vice Mayor Dawson. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NOES: None**

**ABSENT: None**

### **ITEM #4**

Kosmont rep on line to answer any questions.

Mr. Prebula commented Kosmont is on line to explain Surplus Land Act and gave a brief history on the company. All city property is intended to be on the list and to look at all properties at once

Development Services Director Bermudez stated the 34-acre site was not included as it is currently in appraisal process.

Council Member Pal commented he is hopeful this will work out; consent calendar items are discussed in one-on-one meetings with City Manager and/or staff;

Mayor Hernandez commented the city is looking at all of our infill at one time.

**Motion by Vice Mayor Dawson to approve Consent Calendar Item #4 and seconded by Council Member Pal. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd, Washington**

**NOES: None**

**ABSENT: None**

## **PUBLIC HEARING NONE**

### **GENERAL BUSINESS**

6. Review and Provide Direction for the Fiscal Year (FY) 2025-26 Proposed Budget – (Deol: [Ideol@suisun.com](mailto:Ideol@suisun.com)).

City Manager Prebula gave a brief introduction of the report and the successes that have been accomplished in the past 12 months.

Finance Director Deol presented the proposed budget report.

Mr. Prebula gave an explanation of the overall city staffing levels current and needed staff.

Council Member Pal left dais at 7:48 pm and returned at 7:50pm

Department Heads presented each of their department's report.

Department Heads spoke on severe reduction measures for their departments.

Council Member Pal left dais at 8:58pm and returned at 9:00pm.

Mayor Hernandez gave a sincere thank you to staff for their hard work on this proposed budget.

Council recess at 9:14pm and returned at 9:26pm.

Mayor Hernandez stated this is a discussion and direction only.

Council asked clarifying questions.

### **PUBLIC COMMENTS**

Clerk summarized the three following electronic emails:

Aaron Leming, Fire Captain, we are proud to serve the residents of Suisun City with professionalism, compassion and integrity; our department remains critically understaffed; there is growing frustration among our ranks; we are constantly doing more with less; adding two firefighter positions will dramatically improve our ability to respond quickly; we urge city leaders to prioritize fire department staffing, and to work with us in developing a long-term plan to strengthen public safety.

Chris Lujan, Fire Department, proudly serve Suisun City with professionalism and integrity but remain critically understaffed; adding two firefighters is essential for safety, response and morale; we urge city leaders to prioritize staffing and partner with us on a long-term plan for public safety.

Andrew Kagle, Fire Engineer, advocates for the addition of a third Firefighter-Paramedic; face challenges in emergency medical response, by adding a third we can enhance on-scene efficiency during cardiac emergencies; improve the quality of CPR; increase the likelihood of survival; please continue to take this critical step to ensure our community receives the emergency care it deserves.

### **IN PERSON**

Donna LeBlanc more of informational discussion tonight with no vote; spoke on cannabis approval; why are we not looking at a salary freeze for the next two years; what is our lobbyist doing to find us

funding; need to make cuts where it is necessary; promises made to get Measure S passed was to improve fire and police; LLD districts; if we can't afford events, then we need to stop them.

Michelle Zunino

Kat Schrader continued Michelle's statement, worried about SCEA cuts that will threaten the core city.

Michelle Chavez spoke on the cost and cuts have on the city as a whole; change vendors, lease land instead, LLD's be reworked so there is a benefit to the city.

Steve Olry commented that Suisun City is a broken business model; we can give you a raise but we will need to make cuts, unacceptable to use more of reserve funds.

Mr. Bermudez spoke on the Railroad Avenue realignment and the cannabis applicant who decided to wait until council decision on realignment was made;

Mr. Prebula explained if and how the LLD's could be reworked.

Council Member Pal asked staff to speak with cannabis applicant and the report back the status.

Mr. Prebula spoke on the lobbyist's work.

Continued Council discussion.

Council gave staff direction on their individual preferred line item saves and cuts.

Mayor Hernandez asked council to come prepared on 6/24 with cuts if reimbursement agreement is not reached.

**COUNCIL COMMENTS** None

**REPORTS: (Informational items only)**

7. Non-Discussion Items.

**ADJOURNMENT**

There being no further business the meeting was adjourned in honor of Council Member Washington's uncle, James Davis at 10:47pm.

---

Anita Skinner, City Clerk



**MINUTES**  
**SPECIAL MEETING OF THE**  
**CITY COUNCIL OF THE CITY OF SUISUN CITY**  
**TUESDAY, MAY 13, 2025**  
**4:00 PM**

---

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

---

*CITY COUNCIL MEETINGS ARE HELD IN-PERSON  
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

**ZOOM MEETING INFORMATION:**

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

*Webinar ID: 898 6937 1900*

*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.)*

**CALL TO ORDER 4:00**

Mayor Hernandez called the meeting to order 4:01pm.

**ROLL CALL**

PRESENT: Dawson, Hernandez, Shepherd

ABSENT: Pal (arrived at 4:09pm), Washington (arrived at 4:05pm).

**CONFLICT OF INTEREST NOTIFICATION NONE**

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

**PUBLIC COMMENT NONE**

*(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:

1. CONFERENCE WITH LABOR NEGOTIATOR

A Closed Session will be held, Pursuant to Government Code Section 54957.6, to Conduct Labor Negotiations among:

Agency Negotiator: City Manager, Bret Prebula

Employee Organization:

SCEA (Suisun City Employees' Association); SCPOA (Suisun City Police Officers Association); SCPFA (Suisun City Professional Firefighters' Association); SCMPEA (Suisun City Management and Professional Employees' Association); Unrepresented Employees; Temporary/Part-Time Employees.

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

Mayor Hernandez announced that the Closed Session would be held in the Council Chambers and began at 4:02pm.

### **CONVENE OPEN SESSION**

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

### **ADJOURNMENT**

There being no further business the meeting was adjourned at 6:25pm.

---

Anita Skinner, City Clerk



## MINUTES

### REGULAR MEETING OF THE SUISUN CITY COUNCIL, SUISUN CITY COUNCIL ACTING AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SUISUN CITY, AND SUISUN CITY HOUSING AUTHORITY

TUESDAY, MAY 20, 2025

5:00 PM

---

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

---

#### 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: ID: 826 1215 6753*

*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. – 819)

(Next City Council Res. No. 2025 – 41)

Next Suisun City Council Acting as Successor Agency Res. No. SA2025 - 02)

(Next Housing Authority Res. No. HA2025 – 03)

#### 5:00 P.M CLOSED SESSION

#### CALL TO ORDER

Mayor Hernandez called the meeting to order at 4:15pm.

City Attorney Enright stated that the regular council meeting would begin at 6:30pm.

#### ROLL CALL

PRESENT: Dawson, Hernandez, Shepherd

ABSENT: Washington, Pal (arrived at 4:27pm)

**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** None

*(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:

1. **CONFERENCE WITH LABOR NEGOTIATOR**

A Closed Session will be held, Pursuant to Government Code Section 54957.6, to Conduct Labor Negotiations among:

Agency Negotiator: City Manager, Bret Prebula

Employee Organization:

SCEA (Suisun City Employees' Association); SCPOA

(Suisun City Police Officers Association); SCPFA (Suisun

City Professional Firefighters' Association);

SCMPEA (Suisun City Management and Professional Employees'

Association); Unrepresented Employees;

Temporary/Part-Time Employees.

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

A Closed Session will be held, pursuant to Government Code Section 54956.8 to conduct Negotiations regarding Real Property identified by the following Assessor Parcel Numbers: 0032-042-720, 0032-042-740, 0032-042-790, 0032-130-010, 0032-130-020, 0032-130-030, 0032-130-040, 0032-130-060, 0032-141-130, 0032-141-140, 0032-141-160, 0032-180-170, 0032-180-580, 0032-200-320, 0032-230-280, 0032-230-290, 0032-230-310, 0032-230-370, 0032-282-040, 0032-282-050, 0032-292-010, 0173-010-230

Agency Negotiation: City Manager, Bret Prebula

Negotiating Parties: To Be Determined

Subject: Terms and Conditions

Council entered into closed session at 4:17pm.

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

**6:30 RECONVENE OPEN SESSION**

Mayor Hernandez stated the closed session ended at 6:28 pm.

Council Member Pal arrived at 4:27pm and had a conflict with Closed Session Item # 2 and recused himself when that particular property was discussed.

**CALL TO ORDER**

Mayor Hernandez called the meeting to order at 6:37pm.

**ROLL CALL**

PRESENT: Dawson, Hernandez, Pal, Shepherd

ABSENT: Washington

## **PLEDGE OF ALLEGIANCE**

Led

## **INVOCATION**

Given by Clerk Skinner

## **CLOSED SESSION REPORT None**

Announcement of Actions Taken, if any in Closed Session.

## **APPROVAL OF REORDERING OF AGENDA**

**Motion by Council Member Pal to approve agenda order and seconded by Vice Mayor Dawson.  
Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd**

**NOES: None**

**ABSENT: Washington**

## **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.)*

## **REPORTS (Informational items only.)**

3. City Manager Update - (Prebula: [bprebula@suisun.com](mailto:bprebula@suisun.com)).  
None
4. City Attorney Report - (Enright).  
None
5. Informational Report on Council Credit Card Statements - (Deol: [Ideol@suisun.com](mailto:Ideol@suisun.com)).

No verbal report was given as information was included in packet.

## **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 commented on the state ranking of Crystal Middle School; Council's lack of focus; whatever we do get from California Forever is on a wish and a prayer; comments on numbers if we do not annex.

Kat King, Vice President of SCEA, spoke on concerns of possible budget cuts.

## **PRESENTATIONS/APPOINTMENTS**

*(Presentations, Awards, Proclamations, Appointments).*

6. Proclamation Proclaiming the May 15 through May 25, 2025 to be "Public Works Week" -  
(Vue: [nvue@suisun.com](mailto:nvue@suisun.com)).

Mayor Hernandez read proclamation and presented by Council Member Shepherd to members of the Public Works Department. Director Vue commented on the hardworking staff. People, Purpose,

Presence is this year's theme. Jim Herrod commented he is honored to accept the proclamation on behalf of the entire department and spoke on the theme.

Council thanked the department for their hard work.

#### **PUBLIC COMMENT**

Michelle Chavez thanked the department for everything they have done in working with her on issues on the Humphrey Canal, illegal dumping.

7. Proclamation Proclaiming the Month of June 2025 to be "Pride Month" - (Hernandez: [Ahernandez@suisun.com](mailto:Ahernandez@suisun.com)).

Mayor Hernandez read the proclamation and presented by Vice Mayor Dawson to LGBTQ members. Trish, Board Member of the Pride Center, thanked the council. Donna, member of the Center, spoke on the center's programs; member spoke on the Pride Event and partnering with the city to provide the event.

Michelle Chavez commented the event is on 5/25 and the Clean Team will be there to help out and encouraged everyone to attend.

Council comments on the upcoming event and being advocates.

City Manager Prebula commented he is looking forward to making the opening remarks at the event.

Superintendent Jennifer Sachs commented on Public Works Week and Pride Day; Suisun City is there for our students and community.

#### **CONSENT CALENDAR**

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

8. Council Adoption of Ordinance No. 818: An Ordinance of the City Council of the City of Suisun City Adding Chapter 15.80.140 (Fire Hazard Severity Zones) of Title 15 (Building and Construction) of the Suisun City Municipal Code - (Introduced and Reading Waived on May 6, 2025) (Lopez: [bllopez@suisun.com](mailto:bllopez@suisun.com)).
9. Council Adoption of Resolution No. 2025-41: Rejecting Bid Protest and Authorizing the City Manager to Enter into a Construction Contract on the City's Behalf with Rapid Grading Services for the 2025 Pavement Resurfacing Project - (Vue: [nvue@suisun.com](mailto:nvue@suisun.com)).
10. Council Adoption of Resolution No. 2025-42: Approving the Design and Budget of the Heritage Park Enhancement Project and Authorizing the City Manager, or Designee, to Proceed with the Project - (Hull: [jhull@suisun.com](mailto:jhull@suisun.com)).
11. Council Adoption of Resolution No. 2025-43: Authorizing the City Manager to Enter into a Construction Contract on the City's Behalf with Spektr Engineering, Inc. for the Pedestrian Safety Enhancements Project - (Vue: [nvue@suisun.com](mailto:nvue@suisun.com)).
12. Initiate and Provide Intent to the Levy and Collection of Assessments for the McCoy Creek Parking Benefit Assessment District - (Vue: [nvue@suisun.com](mailto:nvue@suisun.com)).

- a. Council Adoption of Resolution No. 2025-44: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2025-26; and
  - b. Council Adoption of Resolution No. 2025-45: Declaring Its Intention to Levy and Collect Assessments Within the McCoy Creek Parking Benefit Assessment District for Fiscal Year 2025-26.
13. Initiate and Provide Intent to the Levy and Collection of Assessments for the City's Landscaping & Lighting Districts:
- a. Council Adoption of Resolutions No. 2025-46: Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation and Filing of the Engineer's Report Related to the Suisun City Maintenance Assessment Districts for Fiscal Year 2025-26.
  - b. Council Adoption of Resolutions No. 2025-47 Declaring its Intention to Levy and Collect Assessments Within the City's Maintenance Assessment Districts for Fiscal Year 2025-26 and Announcing That the Associated Public Hearing Will Be Held on July 1, 2025.

*Joint City Council / Suisun City Council Acting as Successor Agency*

15. Council/Agency Approval of April 2025 Accounts Payable and Payroll Warrants - (Deol: [Ideol@suisun.com](mailto:Ideol@suisun.com)).

Council Member Pal asked clarifying questions on Item 9 and asked to have it pulled.

**Motion by Council Member Pal to approve Consent Calendar Items 8, 10, 11, 12, 13, 14, 15 and seconded by Council Member Shepherd. Motion approved by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd**

**NOES: None**

**ABSENT: Washington**

#### **Item #9**

Council Member Pal asked Director Vue clarifying questions on streets being impacted. Mr. Vue responded.

**Motion by Council Member Pal to approve Consent Calendar Item #9 and seconded by Vice Mayor Dawson. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd**

**NOES: None**

**ABSENT: Washington**

#### **PUBLIC HEARING**

16. Housing Authority Adoption of Resolution No. HA 2025-\_\_\_\_: Approving Administrative Plan Revisions to the Housing Choice Voucher Program Required by the United States Department

of Housing and Urban Development - Goltiao: (jgoltiao@suisun.com). Public Hearing  
Continued to June 3, 2025.

Mr. Prebula stated the item is being continued to June 3<sup>rd</sup>.

**Motion by Vice Mayor Dawson and seconded by Council Member Shepherd to continue item to June 3<sup>rd</sup>. Motion passed by the following vote:**

**AYES: Dawson, Hernandez, Pal, Shepherd**

**NOES: None**

**ABSENT: Washington**

**GENERAL BUSINESS NONE**

**COUNCIL COMMENTS**

Council Member Pal thanked Mr. Prebula for the update on Crane Dr; thanked staff for response on Yacht club.

Mayor Hernandez stated she had removed a commissioner from the RPMA Commission due to formal complaints and commissioners' complaints; RPMA replacement appointment will be done on 6/3; comments on council tags on social media posts aren't always seen and asked if there are concerns by the public to email council and city clerk directly.

17. Non-Discussion Items.

**ADJOURNMENT**

There being no further comments the meeting was adjourned at 7:32pm.

---

Anita Skinner, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Council Introduction and Waive Reading of Ordinance No. \_\_: An Ordinance of the City Council of the City of Suisun City, California, Reaffirming Policy 706 Relating to the Police Department’s Use of Military Equipment, in Accordance with Assembly Bill 481

---

**FISCAL IMPACT:** There is no fiscal impact.

---

**STRATEGIC PLAN:** Ensure Public Safety, Section 3.6 – Develop and implement emergency preparation, response and recovery plans across the organization in collaboration with other community efforts.

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

---

**BACKGROUND:** On May 3, 2022, the City of Suisun City Council adopted Ordinance 793 codifying Suisun City Police Department (SCPD) Policy 706 as required by Assembly Bill 481. Assembly Bill 481 was signed by Governor Newsom on September 30, 2021, to address the funding, acquisition, and use of military equipment by law enforcement agencies in California. Assembly Bill 481 has designated certain equipment as “military equipment,” regardless of whether it was procured from the military. The bill also requires any amendments to the policy be done by way of ordinance during a public meeting.

---

### **STAFF REPORT:**

In accordance with Assembly Bill 481 and Suisun City Police Department (SCPD) Policy 706, the SCPD is required to bring forward any changes to its military equipment inventory to the Suisun City Council for consideration by way of ordinance. At this time, SCPD is proposing adding drones capable of supporting a Drones as a First Responder program. This program would be implemented to use drones as support for patrol operations, emergency operations that impact the entire city such as a natural disaster or fire, and would also aid in search and rescue operations.

If approved, the DFR program would mimic that of several agencies who have had successful and efficient programs that follow the best practices statewide with regard to safety, licensing, confidentiality and overall success in enhancing the safety of our community. More information on the number and type of drones requested for consideration is attached in the draft policy.

As part of its ongoing commitment to transparency and compliance with state law, SCPD continues to assess its equipment needs to ensure preparedness and operational effectiveness in various public safety scenarios. These unmanned aerial systems are being evaluated for their ability to enhance public safety operations and emergency response. Should the City Council decide to move forward with this option, staff may bring additional information to the council at a future date to finalize any such program.

This annual review reaffirms SCPD’s adherence to both the spirit and the letter of AB 481 by providing clear communication with the community and ensuring public involvement in decisions surrounding the

use of designated military equipment.

The attached presentation was also provided at the Suisun City Police Department AB 481 Town Hall meeting held on Monday April 21, 2025. The community attendees expressed their support for the Police Department's efforts to comply with AB 481 and maintain transparency around its equipment inventory. There were no concerns by the attendees regarding the current or proposed inventory of items presented at the Town Hall that evening, and several questions from community members were answered by the SCPD Command Staff also in attendance.

Public notification regarding the status review of Policy 706 and this agenda item was made available on the SCPD website on Friday March 23, 2025. Additionally, the Notice of Public Hearing and Summary of the Proposed Ordinance Status was advertised at least 30 days through social media prior to the April 21, 2025, Town Hall meeting in compliance with AB 481 requirements.

---

**STAFF RECOMMENDATION:** It is recommended that City Council:

- a. Introduce and Waive Reading of Ordinance No. \_\_: An Ordinance of the City Council of the City of Suisun City, California, Reaffirming Policy 706 Relating to the Police Department's Use of Military Equipment, in Accordance with Assembly Bill 481.

---

**DOCUMENTS ATTACHED:**

1. Ordinance No.\_\_\_\_: An Ordinance of the City Council of the City of Suisun City, California, Reaffirming Policy 706 Relating to the Police Department's Use of Military Equipment, in Accordance with Assembly Bill 481.
2. SCPD Policy 706.
3. AB 481 Military Equipment Annual Report
4. PowerPoint Containing Overview of SCPD's Current Military Equipment Inventory.

---

**PREPARED BY:**

Jeff Henderson, Commander

**REVIEWED BY:**

Aaron Roth, Police Chief

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. [Ord AB 481 Military Equipment Annual Report and Renewal of Military Equipment Use Policy.docx](#)
2. [Military Equipment Policy.pdf](#)
3. [AB 481 Military Equipment Annual Report \(Presented June 3, 2025\).pdf](#)
4. [Suisun AB 481 Military Equipment Presentation](#)

ORDINANCE NO. 2025-\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,  
CALIFORNIA, REAFFIRMING POLICY 706 RELATING TO THE POLICE  
DEPARTMENT'S USE OF MILITARY EQUIPMENT, IN ACCORDANCE WITH  
ASSEMBLY BILL 481**

**WHEREAS**, Government Code sections 7071 et. seq. codifies Assembly Bill 481, effective January 1<sup>st</sup>, 2022, and requires legislative bodies to adopt ordinances approving military equipment use policies before law enforcement agencies can continue to engage in activities related to the funding, acquisition, or use of military equipment; and

**WHEREAS**, the Suisun City Police Department (SCPD) has military equipment in its inventory and engages in critical public safety activities in coordination with other jurisdictions on law enforcement-related matters; and

**WHEREAS**, in May 2022, the City Council adopted Policy Ordinance No. 796 adding Chapter 9.36 to the Suisun City Municipal Code, to establish the requirements for approval and annual review of a military equipment policy; and

**WHEREAS**, in Ordinance No. 796, the City Council also approved Policy 706 – Military Equipment Funding, Acquisition and Use Policy; and

**WHEREAS**, the SCPD Military Equipment Use Policy 706, posted on SCPD's website since its adoption, sets forth a military equipment funding, acquisition, and use policy that is consistent with the SCPD's current practices, complies with all requirements of the Government Code and the Suisun City Municipal Code, will continue to ensure ongoing regulation and compliance with the law going forward and will continue to provide a means of community engagement and transparency regarding use of military equipment by the SCPD; and

**WHEREAS**, the SCPD has posted to its website and submitted to the City Council, its AB 481 Military Equipment Annual Report for calendar year 2024, describing how its military equipment was used and its purpose, a summary of complaints or concerns, the results of any audits or violations of the policy, the total annual cost of each type of military equipment, the quantity possessed, and the intention to acquire any additional equipment in the next year; and

**WHEREAS**, the Government Code and the Suisun City Municipal Code require that, following receipt of the annual report, the City Council conduct an annual review of the ordinance adopting the Military Equipment Use Policy and vote on whether to renew the ordinance; and

**WHEREAS**, the City Council has received and reviewed the annual report and accompanying inventory list, has reviewed Ordinance No. 796 approving Suisun City Police Department Military Equipment Use Policy 706, and has considered the requirements contained in section 7071(d) of the Government Code, and now desires to renew Ordinance No. 796, approving the Suisun City Police Department Military Equipment Use Policy 706, without modification; and

**WHEREAS**, the City Council held a noticed public hearing at its regular City Council meeting on June 3<sup>rd</sup>, 2025 concerning this resolution.

**NOW, THEREFORE, BE IT RESOLVED** the Suisun City Council hereby authorizes the renewal with no modification to the Suisun City Municipal Code, Chapter 9.36, and accepts the AB 481 Military Equipment Annual Report for calendar year 2024.

**PASSED, APPROVED, AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, California, on this \_\_\_\_ day of \_\_\_\_\_ 2025.

Alma Hernandez, Mayor

ATTEST:

Anita Skinner, City Clerk

APPROVED AS TO FORM  
AND LEGAL CONTENT:

Patrick Enright, City Attorney

## CERTIFICATION

I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on \_\_\_\_\_, 2025, and regularly passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2025, by the following vote:

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

**WITNESS** my hand and the seal of said City this \_\_\_\_ day of \_\_\_\_ 2025.

Anita Skinner  
City Clerk

# Military Equipment

## 706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072). This policy will supersede previous SCPD Policy 210.

### 706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The elected or appointed body that oversees the Department.

**Military equipment** – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- Area denial electroshock devices, microwave weapons, water cannons, long-range acoustic devices (LRADs), acoustic hailing devices, and sound cannons.
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

# Suisun City Police Department

## Suisun City PD Policy Manual

### *Military Equipment*

---

#### **706.2 POLICY**

It is the policy of the Suisun City Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

#### **706.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Suisun City Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  - 1. Publicizing the details of the meeting.
  - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

#### **706.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

##### **Description, quantity, capabilities, and purchase cost.**

##### **Defense Technology 40mm LMT Tactical Single Shot Launcher With Expandable Stock**

- Description: Tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. The 40LMT will fire standard 40mm less lethal projectiles propelled by smokeless powder, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems. Double action S&W trigger group, barrel length of 14 inches rifled bore.
- Cost: \$985.70 (Curtis Blue Line Uniforms)

## Military Equipment

---

- Quantity of four (4)

### **DEFENSE TECHNOLOGY, Model 6325 eXact iMPact 40mm sponge round.**

- Description: 40 mm sponge Round delivers a point-of-aim, point-of-impact direct-fire round in the form of a plastic body and sponge nose. It is a lightweight, high-speed projectile that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. Due to the smokeless powder as the propellant, it has velocities that are extremely consistent. This round has been effectively used for crowd control, patrol, and tactical applications.
- Cost: \$28.65 per round
- Quantity of one hundred ten (110)

### **Farber Specialties Custom Built Mobile Command Vehicle**

- Description: 33' [gas engine, mobile command](#) vehicle [built on a commercially available chassis](#) with emergency lighting and audio visual equipment for use as a mobile emergency operations center or incident command vehicle during investigations, critical incidents, natural disasters and other incidents such as chemical spills or a fire event [offering a durable, climate controlled interior with dedicated work stations](#). This vehicle will also be used for community events as a mobile meeting point for staff and community members during events like 4th of July Fireworks, National Night Out, Christmas on the Waterfront and other community outreach events where police and other city staff can advertise their presence and connect with the community.
- Cost: ~~is estimated at \$499,106 500,000.00~~ - funding provided by the State of California
- Quantity: [one \(1\)](#)

### **REMINGTON 870 LESS LETHAL SHOTGUN,**

- **Description :** The Remington 870 Less Lethal Shotgun is used to deploy the less-lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat, which is a principle of Deescalation.
- Cost: \$800 per rifle
- Quantity: five (5)

### **12-GAUGE DRAG STABILIZED BEAN BAG ROUND**

- Description: The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. The 12-Gauge Drag Stabilized Round has secured its place as the Law Enforcement Communities' number one choice for limiting the escalation of conflict where the deployment of lethal force is prohibited.
- Cost: \$7 per round
- Quantity: Fifty (50)

# Suisun City Police Department

## Suisun City PD Policy Manual

### *Military Equipment*

---

#### **DJI, Matrice 300 RTK (M300) Unmanned Aircraft System (UAS)**

- Description: The DJI Matrice 300 RTK is a commercial-grade drone platform designed for public safety, patrol, and tactical missions. Equipped with up to 55 minutes of flight time, advanced AI capabilities, and a robust transmission system (OcuSync Enterprise), the M300 supports multiple payload configurations, including dual gimbals and high-resolution cameras. Real-time video feed, thermal imaging, and zoom functionality enhance situational awareness during critical incidents. The system includes obstacle avoidance sensors and RTK (Real-Time Kinematic) technology for enhanced flight precision. Ideal for aerial overwatch, search and rescue, surveillance, and hazardous scene assessment. Unit can be deployed individually or as part of a two-drone operational response team for expanded coverage and redundancy.
- Cost: \$65,000 per unit
- Quantity: up to two (2)

\*\*\*The above brand or model of UAS equipment is subject to change based on availability and changing local and federal laws, which could impact the initial acquisition or replacement of such equipment. Any brand deviation will be of similar capabilities and cost and reported immediately upon the next AB 481 presentation to the City Council.

#### **DJI, Mavic 3 Thermal UAS**

- Description: The DJI Mavic 3 is a commercial grade, portable drone system that can be transported and deployed easily by field personnel from a specific area. This UAS has many capabilities that mimic the above listed UAS and would supplement that UAS during times it is unavailable or times when station personnel are unable to pilot the UAS.
- Cost: \$7,500 per unit
- Quantity: up to four (4)

\*\*\*The above brand or model of UAS equipment is subject to change based on availability and changing local and federal laws, which could impact the initial acquisition or replacement of such equipment. Any brand deviation will be of similar capabilities and cost and reported immediately upon the next AB 481 presentation to the City Council.

#### **706.5 APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.

## *Military Equipment*

---

- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

### **706.6 COORDINATION WITH OTHER JURISDICTIONS**

*Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.*

### **706.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

### **706.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

### **706.9 USE IN EXIGENT CIRCUMSTANCES**

The Suisun City Police Department participates with the Solano County Sheriff's Special Response Unit and works closely with local, county, state, and federal partners. In exigent circumstances and with the approval of the Chief of Police or designee, military equipment may be deployed from outside entities to promote the safety and security of community members. If the Police Department acquires, borrows, or uses military equipment in exigent circumstances, it will

# Suisun City Police Department

## Suisun City PD Policy Manual

### *Military Equipment*

---

provide written notification of the acquisition or use to the City Council within 30 days following the commencement of such exigent circumstance, unless such information is confidential or privileged under local, state or federal law.



# **AB 481 Military Equipment Annual Report 2024**

Prepared by:

**Commander Jeff Henderson  
Suisun City Police Department**

Submitted January 17, 2025

### **Military Equipment Use AB 481 Compliance Requirements:**

- Approval of the Military Use Policy (Completed May 3, 2022, Policy 706)
- Approval of the Police Acquisition and Use of Military Equipment Ordinance (Completed May 3, 2022, Suisun City Ordinance 796)
- Held the initial Community Engagement Meeting (March 31, 2022)
- Will present Military Equipment use public meeting in 2025
- Current Military Equipment Inventory (Attached)
- Annual Report (See below)

### **Annual Report Description:**

Assembly Bill 481 requires the police department to report annually on the inventory, procurement, use, and misuse of covered military equipment items. The annual report also includes a description of new military equipment the police department seeks City Council approval for acquisition and funding.

Per AB 481, the annual report must include the following:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

SCO 796 Military equipment policy (Approved May 2022)

**ORDINANCE NO. 796**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AMENDING ORDINANCE 793, ADOPTING POLICY 706 RELATING TO THE POLICE DEPARTMENT'S USE OF MILITARY EQUIPMENT, IN ACCORDANCE WITH ASSEMBLY BILL 481**

**WHEREAS**, on September 30, 2021, Governor Newsom signed Assembly Bill 481 ("AB 481") to address the funding, acquisition, and use of military equipment by law enforcement agencies in California; and

**WHEREAS**, AB 481, codified as Government Code Sections 7070 through 7075, required that Suisun City Police Department ("SCPD") begin the process of obtaining approval from City Council of its military equipment use policy by ordinance prior to May 1, 2022; and

**WHEREAS**, accordingly, on May 3, 2022, the City Council adopted Policy 706, City of Suisun City Police Department Military Equipment Use Procedure Policy ("Policy 706") attached hereto as Attachment 1 and incorporated by reference; and

**WHEREAS**, since the adoption of Policy 706, the State of California has granted SCPD funding for, amongst other things, the acquisition of a command vehicle by SCPD to facilitate the operational control and direction of public safety units; and

**WHEREAS**, pursuant to Government Code section 7070(c)(5), a command vehicle to facilitate the operational control and direction of public safety units is "military equipment," as that phrase is defined in Government Code Section 7070; and

**WHEREAS**, in accordance with AB 481, SCPD has drafted an amended Policy 706 (the "Amended Policy") to include the command vehicle in the list of all of its current "military equipment," as that phrase is defined in Government Code Section 7070; and

**WHEREAS**, the Amended Policy was made available to the public on SCPD's internet website on November 19, 2022, which was at least thirty (30) days prior to the public hearing held on December 20, 2022, concerning the amendment to Policy 706, in accordance with Government Code section 7071(b); and

**WHEREAS**, the Amended Policy was reviewed by the City of Suisun City legal counsel; and

**WHEREAS**, the City Council finds that the Amended Policy meets the requirements of AB 481.

## **Equipment Usage for 2024:**

As evident in the Military Equipment Inventory, the Suisun City Police Department does not own any equipment in categories 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 or 13.

### **Category 5: Command Vehicle**

In March of 2024, the Command Vehicle was utilized during the TAFB Air Show.

In July of 2024, the Command Vehicle was utilized during the Suisun City Fourth of July event.

In August of 2024, the Command Vehicle was utilized during the Suisun City National Night Out event.

In October of 2024, the Command Vehicle was utilized during the KROC Inspire event.

In December of 2024, the Command Vehicle was utilized during the Christmas on the waterfront event.

### **Category 14: Less than Lethal Impact Device (Kinetic Energy Munitions)**

In 2024, the Suisun City Police Department utilized the equipment in Category 14 in training scenarios during department range training. The police department also used less lethal impact devices in the following two incidents.

1. This incident occurred in the 1100 block of West St. in Suisun City, CA (Solano County) on 04/20/2024 at approximately 2357 hours. Officers were dispatched to the 1100 block of West St. to investigate a report of a violation of a court order.

Upon arrival, officers noticed the suspect in the area. The officers were able to confirm it was the suspect as they handled multiple prior calls involving the suspect. Officers began giving the suspect verbal commands in an attempt to gain compliance to secure a safe environment to continue the investigation. The suspect refused and walked away from the officers.

The subject became verbally uncooperative with officers. Additionally, the subject was observed to have a bulge in his waistband, which was visible to the officers on scene. The bulge was in an area which is consistent with a location someone may carry and / or conceal a firearm.

At some point during the incident, the suspect put his hands in his waistband in the area of the bulge the officers saw. The suspect was given numerous commands to remove his hands from his waistband. The suspect was told that as a result of his continued lack of compliance, an elevated use of force may be used to gain his compliance. The suspect continued to refuse to comply.

At this point in the incident, a Suisun City Police Sergeant arrived on scene. The Sergeant was self-designated as "less lethal" and deployed a "40mm" (LMT 40 MM launcher; serial # FW16816 w/ eXact iMPact 40MM Safariland sponge rounds).

The suspect was told that due to his continued refusal to comply with officer instructions he may be subject to being shot with a 40mm round. The suspect continued his non-compliance of the officers' lawful orders. The Sergeant then warned the subject that a 40mm projectile would be used on him. The subject continued his refusal to comply. One 40mm less lethal sponge round was fired at the subject to effect an arrest and overcome his resistance.

After being struck, the suspect immediately stopped resisting and complied with officer's directions. He was taken into custody without further incident. Prior to booking, the subject was medically cleared.

2. This incident occurred in the 900 block of Harlequin Ct. in Suisun City, CA (Solano County) on 06/08/2024 at approximately 1958 hours. Officers were dispatched to a report of a female suspect "banging" on the victim's door while in possession of a firearm.

Upon arrival to the scene, officers began their investigation and found that R/P had been the suspect in a prior brandishing a firearm investigation. The suspect in this investigation was the victim in the prior brandishing a firearm case. The victim was reporting that the female suspect, who was known to the victim, came to the victim's house, displayed a firearm in a threatening manner, and made challenging statements to the victim. The suspect was identified and was known to the officers on scene.

Officers went to the suspect's residence, which was located in the 200 block of Railroad Ave. Upon arrival, officers made the decision to attempt to call the suspect out of her residence. Using a vehicle public address system, Officers called out to the suspect who exited the residence holding a firearm. The suspect was given commands from the officers on scene to "drop the gun". The suspect did not comply and only would respond saying "It's fake, its fake." The suspect then raised the firearm over her head and continued to say, "It's fake, it's fake." The suspect did not comply with the officer's commands to drop the firearm. With the situation now escalating and officers fearing for the rapidly deteriorating safety to themselves and to others, the decision was made by the 40mm operator to deploy one 40mm sponge round at the suspect.

The round was fired striking the suspect in her upper right arm which was the same hand she was holding the firearm. After being struck by the 40mm sponge round, the suspect dropped the gun. The suspect was then taken into custody without further incident. Prior to booking, the subject was medically cleared. The firearm was determined to be a replica firearm.

**Additional Information:**

There were three (3) additional incidents in 2024 where the 40mm launcher was loaded for deployment but was not discharged.

### **Summary of Complaints for 2024:**

The Suisun City Police Department did not receive any complaints concerning military equipment in 2024.

### **Violations of Policy 706:**

An internal review revealed no violations of Policy 706.

### **Total Annual Cost for Military Equipment:**

The fiscal impact for yearly maintenance costs for each category is documented in the attached Military Equipment Inventory. There were two additional 40mm launchers purchased. There were additional costs in replacing 40mm ammunition used in each deployment and replacing ammunition used in training.

### **Replacement Military Equipment Inventory List:**

1. 40mm Ammunition (Category 14 on Current Inventory List)

### **DESCRIPTION:**

The eXact iMPact™ 40 mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consisting of a plastic body and sponge nose that is spin stabilized via the incorporated rifling collar and the 40 mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant, and, therefore, have velocities that are extremely consistent. Used for Crowd Control, Patrol, and Tactical Applications.

**TOTAL REPLACEMENT COST:** \$4,990.90 for 200 rounds (Approximate cost based on recent quote)

**PURPOSE:** To be used as a precision extended range less lethal impact weapon to address a threat while allowing for time, distance and de-escalation.

**AUTHORIZED USE:** This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in

death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

**LIFESPAN:** 5 years

**TRAINING:** A minimum of 4 hours training annually in the use of the 40mm system

**FISCAL IMPACT:** Annual Maintenance is \$100.00

**LEGAL AND PROCEDURAL RULES:** Use of the 40 mm launcher and ammunition is subject to the requirements of Policy 303.9 (Control devices and techniques) and Policy 300 (Use of Force). It is the policy of the Suisun City Police Department to utilize 40mm rounds only for official law enforcement purposes, in accordance with all requirements under State and Federal law, including those regarding the use of force and military equipment use.

## 2. 40 mm Tactical 4-shot launcher (Category 14 on Current Inventory List)

### **DESCRIPTION:**

Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder. This system may be used for Crowd Control, Patrol, and Tactical Applications.

**TOTAL COST:** \$3,599.95 for one (1) launcher. Two (2) launchers were purchased for a cost of \$7,199.90 (Approximate cost based on recent quote)

**PURPOSE:** To be used as a precision extended range less lethal impact weapon to address a threat while allowing for time, distance and de-escalation.

**AUTHORIZED USE:** This department is committed to reducing the potential for violent confrontations. Kinetic energy projectile launchers, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

**LIFESPAN:** 2 years under warranty, total functional lifespan varies dependent on use.

**TRAINING:** A minimum of 4 hours training annually in the use of the 40mm system

**FISCAL IMPACT:** Annual Maintenance is \$200.00

**LEGAL AND PROCEDURAL RULES:** Use of the 40 mm launcher and ammunition is subject to the requirements of Policy 303.9 (Control devices and techniques) and Policy 300 (Use of Force). It is the policy of the Suisun City Police Department to utilize 40mm

rounds only for official law enforcement purposes, in accordance with all requirements under State and Federal law, including those regarding the use of force and military equipment use

**Additional Information:**

There were no deployments of the departments Remington 870 less lethal shotgun system or any 12 gauge drag stabilized Bean Bag rounds.

The next annual report will be presented on or before January 2026.



**SUISUN CITY POLICE  
DEPARTMENT  
MILITARY  
EQUIPMENT USE  
ANNUAL UPDATE**



**Town Hall**

**Annual Update to  
Military Equipment Use  
2024**

# **SCPD Policy 706 Town Hall Agenda**

- Review of AB 481 and Suisun City Policy 706
- Presentation of military equipment deployments for 2024

# **California Government Code 7070-7075**

- California Government Code §7070-7075 governs the minimum requirements of what is required to be included in the Military Equipment Use Policy, and defines the term “Military Equipment” in the context of law enforcement.

## **SCPD POLICY 706**

- Effective January 1, 2022, Assembly Bill (AB) 481 requires law enforcement agencies to obtain approval of the applicable governing body (Mayor and City Council), by adoption of a military equipment use policy prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.
- May 3, 2022, SCPD Policy 706 and Ordinance 796 were approved by City Council.

## **Policy Renewal (Annual)**

- The department is required to submit an Annual Report on the equipment use and an updated inventory list.
- The report and list were presented to a Suisun City Town Hall meeting.
- The law also requires the Department to present the inventory list and usage to the Suisun City Council annually.

- To facilitate public participation, any proposed or final “military equipment” use policy shall be made publicly available on the internet website of the relevant LEA (Suisun City Police Department) for as long as the “military equipment” is available for use. (Gov. Code, § 7071, subd. (d)(2).) The governing body (City of Suisun City Council) of the LEA shall:
  1. review any ordinance that it has adopted under Section 7071 approving the funding, acquisition, or use of “military equipment” at least annually; and,
  2. subject to Section 7071(e)(2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act or the Ralph M. Brown Act, as applicable. (Gov. Code, § 7071, subd. (e)(1).)

# Patrol Equipment

Suisun City Police Department  
Military Equipment Use Policy

## Defense Technology 40mm LMT Tactical Single Shot Launcher With Expandable Stock

Tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two point sling attachment. The 40 LMT will fire standard 40mm less lethal projectiles propelled by smokeless powder, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems. Double action S&W trigger group, barrel length of 14 inches rifled bore.



**Deployments:** Two (2) in 2024

**Cost:** \$0.00

# 40mm Tactical 4-Shot Launcher

Designed for riot and tactical situations, the Defense Technology® 1440 40mm Tactical 4-Shot Launcher is low-profile and lightweight, providing multi-shot capability in an easy to carry launcher. It features the Rogers Super Stoc™ expandable gun stock, an adjustable Picatinny mounted front grip, and a unique direct-drive system to advance the magazine cylinder.

**Purchased:** Two (2) in 2024

**Deployments:** 0 in 2024

**Cost:** \$3,599.95 per launcher

**Total Cost:** \$7,199.90



## DEFENSE TECHNOLOGY Model 6325 eXact iMPact 40mm Sponge Round

40 mm Sponge round delivers a point-of-aim, point-of-impact direct-fire round in the form of a plastic body and sponge nose. It is a lightweight, high-speed projectile that is spin stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. Due to the smokeless powder as the propellant, it has velocities that are extremely consistent. This round has been effectively used for crowd control, patrol, and tactical applications.

**Deployments:** Two deployments in 2024

**Cost:**

- \$ 28.65 per round (2)

Total: \$ 57.30



## **REMINGTON 870 LESS LETHAL SHOTGUN**

The Remington 870 Less Lethal Shotgun is used to deploy the less-lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat, which is a principle of De-escalation.

**Deployments:** None

**Cost:** None



## **12-GAUGE DRAG STABILIZED BEAN BAG ROUND**

The Drag Stabilized™ 12-Gauge Round is a translucent 12-Gauge shell loaded with a 40-Gram tear shaped bag made from a cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails and utilizes smokeless powder as the propellant. The 12-Gauge Drag Stabilized Round has secured its place as the Law Enforcement Communities' number one choice for limiting the escalation of conflict where the deployment of lethal force is prohibited.

**Deployments:** None

**Cost:** None



## **Farber Specialty Custom Command Vehicle**

33' Gas Engine Mobile Command Vehicle outfitted with Emergency Lighting and Audio-Visual Equipment.

**Deployments:** Five (5)

**Cost:** \$0



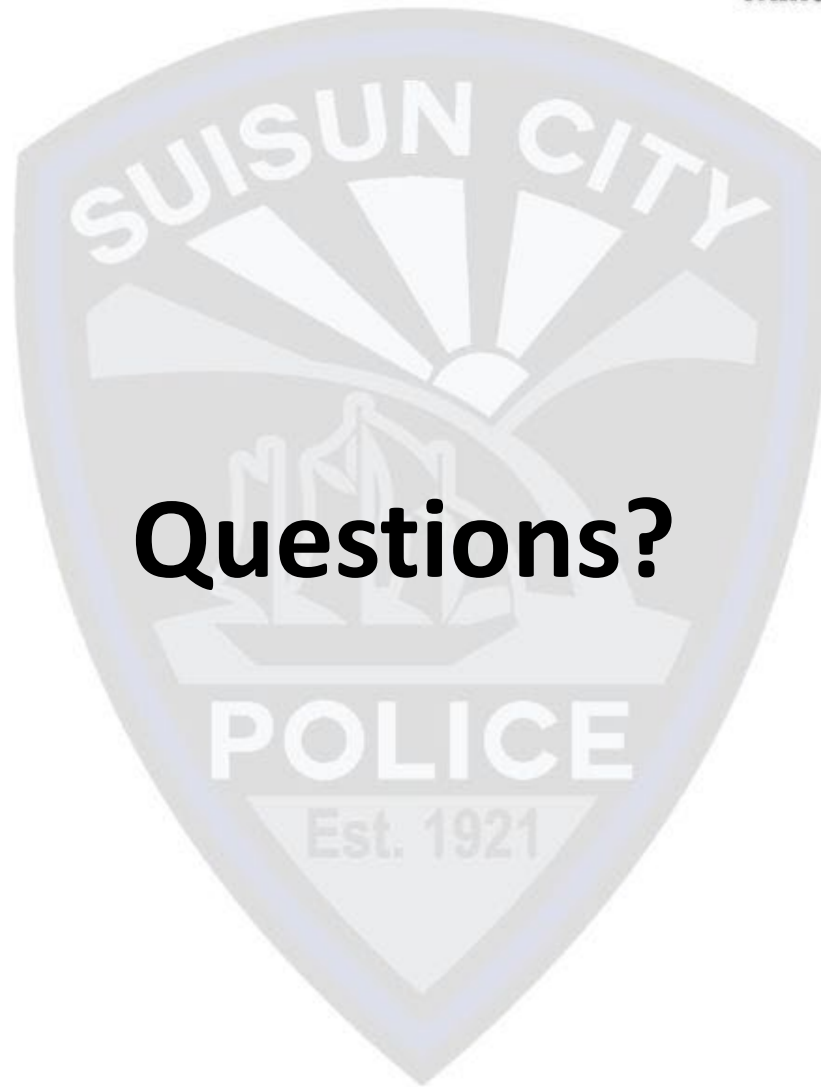
**Drone Unit**  
**Unit(s) similar to DJI M300 system**



**Deployments: N/A**

**Cost:** \$65,000 per unit (up to 2) (Cost is approximate)

**Total:** \$65,000 to \$130,000 (Cost is approximate)



THIS PAGE INTENTIONALLY LEFT BLANK

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Council Introduction and Waive Reading of Ordinance No. \_\_\_\_; An Ordinance of the City of Suisun City, California, Repealing and Replacing Chapter 12.24 (Camping on Public Property) of Title 12 (Streets, Sidewalks and Public Places) of the Suisun City Municipal Code with Chapter 12.24 (Prohibition Against Certain Conduct on Public and Private Property).

---

**FISCAL IMPACT:** No fiscal impact is associated with introducing the proposed Ordinance. Should the Council adopt the proposed Ordinance on second reading, minor codification expenses within the currently budgeted expenses will be incurred. Additional cost of enforcement will depend on the frequency of future violations of the proposed ordinance. While the City may recover costs through collection of administrative fees, the ability of violators to pay fines may reduce the amount the City recovers under this proposed Ordinance.

---

**STRATEGIC PLAN:** Ensure Public Safety.

---

### **BACKGROUND:**

On June 28, 2024, the United States Supreme Court ruled in the case of *City of Grants Pass v. Johnson* that ordinances prohibiting camping on public and private property do not violate the US Constitution's Eighth Amendment's prohibition on cruel and unusual punishments, even when applied to homeless individuals who lack access to alternative shelter within the city. Cities now have greater flexibility in enforcing laws regulating public property camping. In response to the Supreme Court's ruling, cities have updated their ordinances to be as strict against camping as possible.

Suisun City adopted its existing Anti-Camping Ordinance in 2001. One update was made to it in 2023, when the City Council adopted Ordinance No. 808 to amend the violations section. The City now seeks to update its Camping Ordinance further. This memorandum provides an overview of how other cities have updated their anti-camping ordinances and provides options Suisun City may consider adopting.

---

### **STAFF REPORT:**

The City regulates camping in two places in the Municipal Code. Camping outdoors on public and private property is regulated in Chapter 12.24 (Camping on Public Property), Chapter 18.57 for Mobile Living Units, and Section 21.06.070, which provides overnight camping or sleeping in the Marina District. The proposed Ordinance updates Chapter 12.24 and does not change Chapter 18.57 and Section 21.06.070. We have also incorporated certain definitions proposed by the Governor in his Model Ordinance, which he recently released. Specifically, the proposed Ordinance makes the following amendments:

#### **Use of Vehicles for Human Habitation**

Currently, the Suisun City Municipal Code does not prohibit the use of vehicles for human habitation on public property. The draft Ordinance addresses the use of vehicles for human habitation by amending

the definition of “camp facilities” to mean “all temporary shelters, including, but not limited to, tents, huts, vehicles, or vehicle camping outfits” (SMC § 12.24.020 Definitions). Currently, the definition of “camp facilities” includes, “but are not limited to, tents, huts, or temporary shelters.”

Chapter 18.57 regulates mobile living units that may be used for living and sleeping and may not be amended. Section 18.57.040 makes it unlawful for any person to occupy, for living or sleeping purposes, any mobile living unit upon any other parcel of publicly or privately owned real property, except as provided for in this Chapter. The exceptions includes while the mobile unit is in motion upon a street, road, highway or alley, while parked in a lawfully established and licensed mobile home park, labor camp or in other public or private facilities which are designed, equipped and licensed by the City to accommodate mobile living units and which provide for temporary or permanent utility connections to such mobile living unit; while parked on private property and not on a parking street, parking lot, or right-of-way, at the invitation of the person owning or having the right to possess the private property.

### **Camping (Chapter 12.24.030)**

#### *Camping on Public Property*

Currently, the City’s code prohibits camping on any public street and any public parking lot or public area, improved or unimproved. (SMC § 12.24.030) The proposed Ordinance would prohibit camping in or on public and private properties not designated and equipped for such camping. In addition, the proposed Ordinance prohibits camping at any location within 200 feet of any posted notice to vacate or other official language designating a location for encampment clearance or otherwise prohibiting siting, sleeping, lying, camping, or placing personal property in that location.

#### *Camping on Private Property*

Currently, the City Code does address camping overnight on private property. This proposed ordinance will prohibit camping on private property except with the owner’s consent (SMC § 12.24.030.B).

### **Unlawful Obstructions (SMC § 12.24.040)**

The proposed ordinance adds a new section to address obstructions, including loitering, sitting, lying down, or sleeping on any street, alley, sidewalk, park, or other public place or at the entrance or exit of any public or private buildings. A person who refuses or fails to disperse or move on when directed to do so by an enforcement officer is in violation of this prohibition.

### **Storage of Personal Property on Public Property (SMC § 12.24.050)**

The existing Suisun City Municipal Code prohibits storage of personal property in any park, street, or public parking lot or public area, improved or unimproved. (SMC § 12.24.040) The proposed Ordinance would create a new section to house all regulations for the storage of personal property. Under this section, the proposed Ordinance would retain the City’s ban on storing personal property on public property, provide for a 24-hour notice before removing improperly stored personal property, and store the property for 90 days, or the duration required by law. The proposed Ordinance would also list the information required to be included in the notice. While not in the Suisun City Municipal Code, the City presently provides a 72-hour notice and stores the property for at least 90 days. These amendments will codify the City's practices and current case law on notices and storage requirements.

### **Supplemental Rules and Regulations**

The proposed Ordinance adds a new Section 12.24.060 authorizing the City to modify or suspend enforcement of any section in the event of a declared emergency, including extreme heat or cold.

### ***Enforcement of Camping Ordinance***

Currently, SMC § 12.24.050 makes the first violation an infraction punishable by a fine not exceeding \$50.00. The second and each subsequent violation within one year may be prosecuted as a misdemeanor, punishable per Chapter 1.08 of the SMC. The proposed Ordinance maintains the penalties for an infraction and misdemeanor, but provides for the following additional enforcement measures:

1. An individual may be issued a written exclusion order by an enforcement officer temporarily prohibiting said individual from a public park or essential City-owned or operated public utility on which violations described in this Section occurred, for a period of thirty (30) days:
2. If within one year, the individual:
  1. Is issued two or more citations on the same public park or essential City-owned or operated public utility for violating this Chapter, or
  2. Is issued one or more citations for violating any state law(s) while on the same public park or essential City-owned or operated public utility.
3. If, within three (3) months of being issued an exclusion order an individual is issued a citation for violating this Chapter or any state law(s) on a public park or essential City-owned or operated public utility.

The foregoing exclusion order(s) shall only apply to the particular park or City-owned or operated public utility in which the offending conduct occurred.

1. An individual issued a written exclusion order may file a written objection to the order with the City Manager within two (2) business days of its issuance. If a written objection is filed, the matter shall be placed on the City Council's agenda not earlier than two days after receiving the objection. The exclusion order shall be stayed during the pendency of the appeal. The objection may be heard by the City Council at a regular or special meeting. At the hearing, City staff shall provide the City Council with information regarding the basis for the exclusion order, and the individual shall be allowed to present relevant evidence. City Council may affirm the order upon finding that a preponderance of the evidence has met the criteria in Subsection C of this Section. The decision of the City Council is final. Notwithstanding the foregoing, the City Council may appoint a hearing officer as its designee to conduct appeals of exclusion orders. In such a case, the decision of the hearing officer shall be final.
2. Nothing in this Chapter shall limit or preclude the enforcement of any other applicable laws or remedies available for violations of this Chapter, including, but not limited to, the enforcement provisions of Title 1 of the Code.

### ***Obligations and Remedies – Exclusion Orders***

The proposed Ordinance would also amend the enforcement provisions (current Section 5-6-6 (Violations)) of Chapter 6. The proposed Ordinance would allow for cumulative remedies and would eliminate the requirement that a citation be issued only after other means of achieving compliance have proven unsuccessful or impracticable. In addition to criminal and administrative citations for violations of Chapter 6, the proposed Ordinance would add a new enforcement mechanism – an Exclusion Order. An Exclusion Order would temporarily ban an individual from a public park or an essential City-owned or -operated utility for 30 days. An enforcement officer can issue an Exclusion Order for a public park

or essential City-owned or -operated utility on which an individual has previously: (1) violated the Camping Ordinance two or more times in one year, or (2) violated state law one or more times in one year. An Exclusion Order can also be issued if, within three (3) months of being issued an Exclusion Order, a person violates the Camping Ordinance or state law on another public park or essential City-owned or -operated utility. In this case, the proposed Ordinance would allow an enforcement officer to issue an Exclusion Order for that new location. Exclusion Orders would only apply to the particular public park or essential City-owned or -operated utility on which the offending conduct occurred.

Under the proposed Ordinance, the Exclusion Order would go into effect immediately, and the individual to whom it is issued may file a written objection within two (2) days of its issuance. If an objection is filed, the Exclusion Order would be stayed until the appeal is settled by the City Council at a regular or special meeting.

#### **ALTERNATIVES:**

The Council could decline to introduce the proposed Ordinance and give staff alternative direction.

---

**STAFF RECOMMENDATION:** It is recommended that the City Council Introduce and Waive Reading of Ordinance No. \_\_\_\_; An Ordinance of the City of Suisun City, California, Repealing and Replacing Chapter 12.24 (Camping on Public Property) of Title 12 (Streets, Sidewalks and Public Places) of the Suisun City Municipal Code with Chapter 12.24 (Prohibition Against Certain Conduct on Public and Private Property).

---

#### **DOCUMENTS ATTACHED:**

1. Draft Ordinance
2. Memorandum
3. Current Suisun Municipal Code Chapter 12.24
4. Current Suisun Municipal Code Chapter 18.57
5. Current Suisun Municipal Code Chapter 21.06.070
6. PowerPoint Presentation Proposed Camping Ordinance.pdf

---

#### **PREPARED BY:**

Patrick Enright, City Attorney

#### **REVIEWED BY:**

Patrick Enright, City Attorney

#### **APPROVED BY:**

Bret Prebula, City Manager

---

#### **ATTACHMENTS:**

1. [Ord Camping Ordinance 2025.docx](#)
2. [Memorandum Updates to Suisun City Camping Ordinance](#)
3. [Current Suisun Municipal Code Chapter 12.24.pdf](#)
4. [Current Suisun Municipal Code Chapter 18.57.pdf](#)
5. [Current Suisun Municipal Code Chapter 21.06.070.pdf](#)
6. [PowerPoint Presentation Proposed Camping Ordinance.pdf](#)

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF SUISUN CITY, CALIFORNIA, REPEALING AND REPLACING CHAPTER 12.24 (CAMPING ON PUBLIC PROPERTY) OF TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE SUISUN CITY MUNICIPAL CODE WITH CHAPTER 12.24 (PROHIBITION AGAINST CERTAIN CONDUCT ON PUBLIC PROPERTY OPEN TO THE PUBLIC)**

**WHEREAS**, the City of Suisun City (“City”) is committed to ensuring the safety, health and welfare of all its residents and visitors; and

**WHEREAS**, the City Council finds that camping and storage of personal property in public spaces can interfere with the intended use of such spaces and create public health and safety hazards that adversely affect the City’s residents and visitors; and

**WHEREAS**, unauthorized encampments create unsanitary, unhealthy, and dangerous conditions, including uncontained fires that threaten people living or using these areas, first responders, and the general public; and

**WHEREAS**, the City desires to amend the Suisun City Municipal Code to provide additional protections for the public health, safety and welfare and additional enforcement mechanisms for those purposes.

**THE CITY COUNCIL OF THE CITY OF SUISUN CITY DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 12.24 (Camping on Public Property) is repealed and replaced with the following:

**“Chapter 12.24 - PROHIBITION AGAINST CERTAIN CONDUCT ON PUBLIC PROPERTY AND PROPERTY OPEN TO THE PUBLIC**

**12.24.010 - Purpose**

Public areas within the City should be readily accessible and available to residents and the public at large for their intended use. The unauthorized use of public areas for camping and the storage of personal property interferes with the rights of others to use public areas for their intended purposes and can create public health or safety hazards that adversely affects other members of the public and neighborhoods, as well as industrial, agricultural, and commercial areas. The purpose of this Chapter is to maintain public areas in clean, sanitary and accessible condition, and to protect the health, safety, and public welfare of the community.

**12.24.020 - Definitions**

For the purpose of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Camp” means to place, pitch or occupy camp facilities, or to use camp paraphernalia, or both, for the purpose of sheltering one or more persons.

“Camp facilities” means all temporary or semi-permanent shelters, including, but not limited to, tents, huts, vehicles, vehicle camping outfits, sheds, or structures with metal or other heavy roofing and siding materials.

1 “Camp paraphernalia” means items including, but not limited to, bedrolls, blankets, air  
2 mattresses, tarpaulins, cots, beds, sleeping bags, hammocks or any similar equipment or  
materials for the purpose of sleeping, lying, or sheltering one or more persons.

3 “City Manager” means the City Manager of the City of Suisun City, including their  
4 designee.

5 “Enforcement officer” means any City employee or agent of the City with the authority to  
6 enforce any provision of this Code.

7 “Establish” means to set up or move equipment, supplies or materials on to public or private  
property to camp or operate camp facilities.

8 “Maintain” means keeping or permitting equipment, supplies or materials to remain on  
9 public or private property in order to camp or operate camp facilities.

10 “Operate” means participating or assisting in establishing or maintaining a camp or camp  
facility.

11 “Personal property” means any and all tangible items, including, but not limited to, goods,  
12 materials, merchandise, camp paraphernalia or facilities, luggage, backpacks, books, clothing,  
documents, household goods, and shopping carts, laundry carts, or carts.

13 “Private property” means all private real property including, but not limited to, real  
14 property, yards, streets, sidewalks, private alleys, trails, and improved or unimproved land.

15 “Public property” means any real or personal property owned or controlled by the City,  
16 improved or unimproved, and includes, but is not limited to, any publicly-owned park, building,  
17 street, sidewalk, way, path, alley, right-of-way, parking lot or other public property owned or  
controlled by the City and located within the City of Suisun City and such other publicly owned  
property for which the City is authorized by contract or permit to maintain.

18 “Store” means to put aside or accumulate for use when needed, to put for safekeeping, or to  
19 put, place or leave in a particular place, whether attended or unattended.

20 “Street” means all streets, avenues, highways, lanes, alleys, ways, crossings or intersections,  
co-routes and cul-de-sacs and City rights-of-way adjacent thereto.

#### 21 **12.24.030 - Unlawful camping**

22 A. It is unlawful for any person to camp, establish, maintain, operate, or occupy camp  
23 facilities, or use camp paraphernalia in the following areas:

- 24 1. Any public property;
- 25 2. Any private property; or
- 26 3. Any location within 200 feet of any posted notice to vacate or other official signage  
27 designating a location for encampment clearance or otherwise prohibiting sitting,  
sleeping, lying, camping, or placing personal property in that location.

28 B. The prohibition on camping in this Section shall not apply to the following:

1. Overnight camping on residential private property with consent of the person in possession or control of the private property, and where such use does not create or permit a public nuisance;
  2. Camping where specifically permitted within City-approved campgrounds or facilities; or
  3. Camping on public or private property in connection with a special event as authorized by the City through issuance of a permit pursuant to this code.
- C. Nothing in this Section intends to prohibit or make unlawful, activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property. Nothing herein is intended to prohibit or make unlawful, activities of a property owner or lawful user if such activities are expressly authorized by the City Manager or by any law, regulation, permit, order or other directive from a regulatory authority.

#### **12.24.040 - Unlawful obstructions**

- A. No person shall loiter, sit, lay down, or sleep on any street, alley, sidewalk, park or other public place, or in or about the entrance or exit of any public or private building, in such a manner as to obstruct or hinder the free passage of persons along such public way, or obstruct or hinder persons entering or exiting from any public building, or in such a manner as to create a health or safety hazard for the community or for the patrons of such public place.
- B. No person in violation of this prohibition shall refuse or fail to disperse or move on when directed to do so by an enforcement officer.

#### **12.24.050 - Unlawful storage of personal property**

- A. It is unlawful and a public nuisance for any person to store personal property on any public property, except as otherwise approved by the City Manager.
- B. Personal property shall be deemed to be stored if it has not been removed from the property within 24 hours of service of written notice provided pursuant to Subsection (D) of this Section.
- C. All personal property stored in violation of this Section may be removed by the City pursuant to this Section.
- D. Before the impoundment of any personal property, the enforcement officer shall serve a written notice to the person storing the personal property as practicable or post the written notice in a prominent and conspicuous place at or near where the personal property is located. The written notice shall contain the following:
  1. The date and time the notice was posted;
  2. The location from which the personal property will be removed;
  3. A statement that the personal property may be impounded if not removed within twenty-four (24) hours;

4. A telephone number for information on retrieving personal property;
  5. An address where the personal property will be stored; and
  6. A statement that impounded personal property may be discarded if not claimed within ninety (90) days after impoundment.
- E. Upon removal of stored personal property, the City shall conspicuously post a written notice at or near where the personal property was located prior to being impounded. The written notice shall contain the following:
1. The date the personal property was removed;
  2. A telephone number for information on retrieving personal property;
  3. An address where the personal property will be stored;
  4. A statement that impounded personal property may be discarded if not claimed within ninety (90) days after impoundment.
- F. The City shall store impounded personal property for a minimum of ninety (90) days, or the duration required by law at the time of removal. Personal property the City shall collect and store includes:
1. Items of apparent value of \$50 or more;
  2. Items of apparent personal value, including, but not limited to: eyeglasses, operational wheelchairs, walkers, crutches, other medical equipment, habitable tents, personal papers (such as photographs, albums, ID's, bank statements, and legal papers), backpacks, containers, and operational bicycles, scooters, and strollers.
- The City may dispose of any personal property that remain unclaimed after ninety (90) days, or such duration as required by law.
- G. Nothing in this Section shall prevent, restrict, or otherwise limit the City's right to remove, without notice:
1. Evidence of a crime or contraband;
  2. Personal property that poses an immediate threat to the health or safety of the public, including, but not limited to:
    - a. Toxic sharps: needles, scissors, knives;
    - b. Chemicals: bleach, paint, oils, etc.;
    - c. Items (including bedding and clothing) soiled by infectious materials, including human waste and bodily fluids;
    - d. Moldy, mildewed items;
    - e. Items that may be infested by rodents and insects: rats, mice, fleas, lice, bed bugs;

- 1 f. Items that pose a risk of fire or explosion, combustibles and propane tanks; any  
2 item containing fuel or corrosives or other unidentified liquids;  
3  
4 g. Backpacks and closed containers that have been determined by an individual  
5 licensed to identify and handle hazardous materials to contain items listed in  
6 (a)-(f) above or (3) below. Such backpacks and closed containers may be  
7 discarded where no individual licensed in hazardous materials is present to  
8 make a determination;  
9  
10 h. If personal property is co-mingled or littered with needles, human waste, or  
11 other health risks, the entire pile of belongings may be disposed of. The  
12 presence of clothing in a backpack or container shall not be the sole reason to  
13 discard the backpack or container.  
14  
15 3. Bulky items, such as mattresses and sheds;  
16  
17 4. Perishable items, such as food;  
18  
19 5. Controlled substances; or  
20  
21 6. Trash, garbage, and/or debris.  
22  
23 H. Nothing in this section shall be construed to limit or prohibit City officials from  
24 enforcing any other City or state laws, including, but not limited to, laws governing  
25 use of controlled substances or weapons, fire codes, and public nuisance laws.

#### 12.24.060 - Supplemental Rules and Regulations

- 16 A. The City Manager is authorized to modify or suspend enforcement of any section or  
17 element of this Chapter in the event of a declared emergency, pursuant to  
18 administrative rules or policies, weather conditions (including but not limited to  
19 extreme heat or cold), or for any other reason within the City Manager's authority,  
20 regardless of whether an emergency has been declared.  
21  
22 B. The City Manager may adopt administrative rules or policies governing or guiding  
23 enforcement of this Chapter including, but not limited to, ensuring consistent and  
24 appropriate enforcement for various circumstances.

#### 12.24.070 - Penalty-Enforcement

- 22 A. The first violation of this Chapter shall be an infraction punishable by a fine not  
23 exceeding \$50.00. The second and each subsequent violation of this Chapter within a  
24 one-year period, may be prosecuted as a misdemeanor, punishable in accordance with  
25 Chapter 1.08 of Title 1 of this Code.  
26  
27 B. In addition to all other remedies, an individual may be issued a written exclusion order  
28 by an enforcement officer temporarily prohibiting said individual from a public park  
or essential City-owned or operated public utility on which violations described in this  
Section occurred, for a period of thirty (30) days:  
1. If within a one-year period, the individual:

1 a. Is issued two or more citations on the same public park or essential City-owned  
2 or operated public utility for violating this chapter, or

3 b. Is issued one or more citations for violating any state law(s) while on the same  
4 public park or essential City-owned or operated public utility.

5 2. If, within three months of being issued an exclusion order pursuant to subsection  
6 (B)(1), an individual is issued a citation for violating this Chapter or any state  
7 law(s) on a public park or essential City-owned or operated public utility.

8 The foregoing exclusion order(s) shall only apply to the particular park or City-owned  
9 or operated public utility in which the offending conduct occurred.

10 C. An exclusion order shall include the following information:

11 1. The reason(s) for the exclusion;

12 2. The particular public park or essential City-owned or operated public utility from  
13 which the individual issued the exclusion order is temporarily prohibited;

14 3. The period of time during which the individual is excluded from the stated public  
15 park or essential City-owned or operated public utility (i.e. 30 days); and

16 4. How the individual may file an appeal of the exclusion order.

17 D. An individual who was issued a written exclusion order may file a written objection to  
18 the order with the City Manager within two (2) business days of its issuance. If a  
19 written objection is filed, the matter shall be placed on the City Council's agenda not  
20 earlier than two days after receiving the objection. The exclusion order shall be stayed  
21 during the pendency of the appeal. The objection may be heard by the City Council at  
22 a regular or special meeting. At the hearing, City staff shall provide the City Council  
23 with information regarding the basis for the exclusion order, and the individual shall  
24 be allowed to present relevant evidence. City Council may affirm the order upon  
finding that the criteria in Subsection (B) of this Section have been met by a  
preponderance of the evidence. The decision of the City Council is final.  
Notwithstanding the foregoing, the City Council may appoint a hearings officer as its  
designee for the purpose of conducting appeals of exclusion orders. In such case, the  
decision of the hearings officer shall be final.

E. Nothing in this Chapter shall limit or preclude the enforcement of any other applicable  
laws or remedies available for violations of this Chapter, including, but not limited to,  
the enforcement provisions of Title 1 of the Code."

**SECTION 2. CEQA.** The City Council finds that the adoption of this Ordinance is exempt  
from environmental review pursuant to California Environmental Quality Act ("CEQA")  
Guidelines Section 15061(b)(3) and Section 15378(b)(5). This Ordinance is not a "project" for  
purposes of CEQA as the prohibition of public camping and storage of personal property on  
public properties constitutes an organizational or administrative activity of the local  
government that will not result in direct or indirect physical environmental changes. In  
addition, even if considered a "project" under CEQA, this Ordinance is exempt as CEQA  
applies only to projects that have the potential for causing a significant effect on the

environment, and not where, as is the case here, it can be seen with certainty that there is no possibility that the regulated activity may have a significant effect on the environment.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions or applications of the chapter. The Suisun City Council hereby declares that it would have adopted each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases be declared invalid or unconstitutional.

**SECTION 4. ADOPTION AND EFFECTIVE DATE.** This ordinance shall be in full force and effect thirty (30) days after its second reading and adoption.

**SECTION 5. CERTIFICATION.** The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be posted and codified in the manner required by law.

**INTRODUCED** at a regular meeting of the City Council of the City of Suisun City, California on the \_\_\_\_ day of \_\_\_\_\_, 2025.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Suisun City, California on the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Alma Hernandez, Mayor

ATTEST:

\_\_\_\_\_  
Anita Skinner, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Patrick Enright, City Attorney

#### **CERTIFICATION**

I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on \_\_\_\_\_, 2025, and regularly passed and adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2025, by the following vote:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**AYES:** Councilmembers: \_\_\_\_\_  
**NOES:** Councilmembers: \_\_\_\_\_  
**ABSENT:** Councilmembers: \_\_\_\_\_  
**ABSTAIN:** Councilmembers: \_\_\_\_\_

**WITNESS** my hand and the seal of said City this \_\_\_\_ day of \_\_\_\_ 2025.

\_\_\_\_\_  
Anita Skinner  
City Clerk



Elizabeth Griffiths

T 916.244.2022  
F 800.552.0078  
E [egriffiths@rwglaw.com](mailto:egriffiths@rwglaw.com)

2300 N Street, Suite 3  
Sacramento, California 95816  
[rwglaw.com](http://rwglaw.com)

# MEMORANDUM

TO: Honorable Mayor Hernandez and Councilmembers

CC: Bret Prebula, City Manager  
Aaron Roth, Chief of Police

FROM: Patrick Enright, City Attorney  
Elizabeth Griffiths, Deputy City Attorney

DATE: May 16, 2025

SUBJECT: Options for Updates to Suisun City Camping Ordinance

---

## I. Background

On June 28, 2024, the United States Supreme Court ruled in the case of *City of Grants Pass v. Johnson* that ordinances prohibiting camping on public and private property do not violate the US Constitution's Eighth Amendment's prohibition on cruel and unusual punishments, even when applied to homeless individuals who lack access to alternative shelter within the city. Cities now have greater flexibility in enforcing laws regulating public property camping. In response to the Supreme Court's ruling, cities have updated their ordinances to be as strict against camping as possible.

Suisun City adopted its existing anti-camping ordinance in 2001. One update was made to it in 2023, when the City Council adopted Ordinance No. 808 to amend the violations section. The City now seeks to further update its camping ordinance. This memorandum provides an overview of how other cities have updated their anti-camping ordinances and provides options Suisun may consider adopting.

## II. Discussion

To determine what type of amendments cities have made to their anti-camping ordinances, regulations from the following cities were surveyed: Fremont, Indio, Fresno, Davis, San Rafael, Sacramento, Placerville, Temple City, Brea, Santa Ana, Newport Beach, and Merced.

In general, Suisun City's ordinance is significantly less detailed than other cities' camping ordinances. The majority of cities surveyed have enacted regulations that include additional or more specific definitions, carve-outs for lawful camping activities, more detailed enforcement procedures and penalties, and procedures for removing personal property from public areas.

## **A. Definitions**

### **i Defining "Camp"**

There are significant differences in how cities have chosen to define "camp." Suisun City Municipal Code defines "camp" as "to pitch or occupy camp facilities; to use camp paraphernalia." Suisun City Mun. Code § 12.24.020. "Camp facilities" include "tents, huts or temporary shelters," and "camp paraphernalia" includes "tarpaulins, cots, beds, bedding, sleeping bags, hammocks or non-city designed cooking facilities and similar equipment." This definition is substantively similar to those used by several other jurisdictions.<sup>1</sup>

Suisun City's broad definition of "camp" arguably encompasses a range of activities the City has no intention of prohibiting. Use of a hammock or blanket during a family picnic, for example, qualifies as "camping" under the City's ordinance. Despite that, Suisun City's definitions appear relatively common. The cities of Brea, Davis, and Fremont use similarly worded, broad definitions.

Other cities have adopted more detailed definitions. For example, Santa Ana's ordinance defines "camping" as pitching or occupying an encampment, or using camp paraphernalia, for the purpose of, or in a way that facilitates, outdoor sheltering for living accommodation purposes, or for remaining outdoors overnight, or to use a vehicle for human habitation." Santa Ana Mun. Code § 10-401(a). The ordinance then lists circumstances that indicate a person is using property for living accommodation purposes, including using a camp facility or camp paraphernalia between the hours of 10: 00 p. m. and 6: 00 a. m., having cooking equipment in an area that is not designated for cooking, or having with them a sleeping bag, sleeping pad, blanket, pillow, bedroll or other similar bedding...." Santa Ana Mun. Code § 10-401(a).

Likewise, some cities have adopted an objective standard to assess whether an individual is "camping." For example, San Rafael provides that "camping" includes any use of public space for sleeping or preparations to sleep when "it reasonably appears, in light of all the

---

<sup>1</sup> Davis and Fremont define "camp" as "to place, pitch or occupy camp facilities; to live temporarily in a camp facility or outdoors; or to use camp paraphernalia."

circumstances,” that the space is being used as a living accommodation. San Rafael Mun. Code § 19.50.020(A).

Furthermore, unlike most cities, the Suisun City Municipal Code does not explicitly ban camping in vehicles. Many cities have banned camping in vehicles by expanding the definition of “camp facilities” to include vehicles. For example, Fremont defines “camp facilities” to include tents, huts, vehicles, vehicle camping outfits, or temporary shelters. Fremont Mun. Code § 8.90.020.<sup>2</sup> Other cities provide specific criteria to determine when a vehicle is being used for habitation. Newport Beach and Santa Ana include factors such as blocked vehicle windows, the inability to use seating in the vehicle due to a large volume of personal belongings, trash, rubbish, or garbage stored in the vehicle, or visible cooking or grooming activities. Santa Ana Mun. Code § 10-401(a); Newport Beach Mun. Code § 10.14.010.

Compared to Santa Ana and Newport Beach, Suisun City’s camping ordinance may be less effective at advising the public of the types of behaviors that are prohibited. Additionally, it may encompass benign or protected activities within its prohibition.

The proposed ordinance will amend the definition of “camp” to state “‘Camp’ means to place, pitch or occupy camp facilities, or to use camp paraphernalia, or both, for the purpose of, or in a way that facilitates, outdoor sheltering for living accommodation purposes or for remaining outdoors overnight.” This amendment to the definition of “camp” will help clarify that this ordinance does not intend to prohibit acceptable daytime activities, such as using a blanket during a family picnic. The proposed ordinance will also amend the definition of “camp facilities” to include “vehicles or vehicle camping outfits” to prohibit unlawful camping in vehicles.

## **ii. Clarifying the Term “Public Area”**

Section 12.24.030 of the Suisun City Code makes it unlawful for a person to camp in any public street, public parking lot, or public area. “Public area,” however, is not defined by the ordinance. The term could be interpreted to mean all publicly-owned property; all publicly-owned outdoor property; all property held open to the public, whether public or private; or some other variation.

---

<sup>2</sup> The cities of Brea, Sacramento, Placerville, and Davis have the same definition of “camp facilities” as Fremont. Davis Mun. § Code. 26.11.020; Fremont Mun. Code §. 8.90.020(b).

Of the cities' surveys, all but Brea use the term "public property" to describe where camping is prohibited, rather than "public area." Newport Beach, San Rafael, Fremont, and Davis municipal codes also proceed to define "public property" to mean the following:

- Newport Beach: "Public Property means all property owned or controlled by the State, the County, the City, or other public entity," including, but not limited to, restrooms, bridges, beach, parking garage, and parking lots. Newport Beach Mun. Code § 10.14.010.
- San Rafael: "Public Property means any real property within the jurisdiction of the City of San Rafael, which is owned, managed, or controlled by the City of San Rafael." San Rafael Mun. Code § 19.50.020(G).
- Fremont and Davis: "Public Property means all public property including, but not limited to, streets, sidewalks, alleys, improved or unimproved land and parks." Davis Mun. Code § 26.11.020; Fremont Mun. Code § 8.90.20(i).

The proposed ordinance will add a definition of "public property" to clarify where it is unlawful for an individual to camp. The proposed definition of "public property" will provide that "[p]ublic property" means any real or personal property owned or controlled by the city, improved or unimproved, and includes, but is not limited to, any publicly-owned park, building, street, sidewalk, way, path, alley, right-of-way, parking lot or other public property for which the city is authorized by contract or permit to maintain."

### iii. Expanding the Definition of "Store"

Suisun City Municipal Code defines "store" as "to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location." Suisun City Mun. Code § 12.24.020. Many cities have similar definitions of "store." However, some cities expand the definition of "store" to include the moving of personal property to a location within a specified distance. For example, Fremont's ordinance considers moving personal property to another location upon public property or returning personal property to the same block of public property on a daily basis to be prohibited, storing of public property.<sup>3</sup> While Suisun City's definition of "store" is similar to several other cities, the definition could be updated to include

---

<sup>3</sup> Similarly, Newport Beach defines "store" to include when personal property is moved to another location on public property or returning personal property within 1,000 feet from a location where the person previously received a citation within 30 days. Newport Beach Mun. Code § 10.08.005.

the moving of personal property to a location that is within close proximity to the location where the individual received a citation.

The proposed ordinance amends the definition of “store” to clarify that an item can be deemed stored, whether attended or unattended.”

## **B. Unlawful Camping**

Suisun City broadly prohibits camping “in any public street, public parking lot, or public area.” Suisun City Mun. Code § 12.24.030. While some cities maintain similar broad language, many have adopted specific time, place, and manner restrictions, and also prohibit camping on private property.

### **i Time, Place, and Manner Restrictions**

Following the Supreme Court’s *Grants Pass* ruling, many cities have enacted stricter regulations, including prohibiting encampments within specific distances of certain buildings and banning additional activities, such as sitting or lying down. Highlights of some recently adopted regulations include:

- Brea:
  - Prohibits sleeping or lying down on or under a public transit/bus bench or a bench, table, playground equipment, or similar fixture or structure in a public park.
  - Prohibits sitting or sleeping on movable objects (e.g., chairs, buckets, coolers) in public areas unless part of a lawful event. Brea Mun. Code § 8.44.136.
- Fresno:
  - Prohibits sitting, lying, sleeping, or camping on any public place, in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk, and on a property designated as a sensitive use (schools, child care facilities, public parks, public libraries, city facilities). Fresno Mun. Code § 10-2101.
- Newport Beach:
  - Prohibits setting up a tent on public property.
  - Prohibits remaining upon a public plaza between 10 p.m. and 6 a.m. without stopping. Newport Beach Mun. Code § 10.08.010.
- Santa Ana:
  - Prohibits loitering, sleeping, lying down, or lodging and sleeping on a public bench, on a bike rack, or in a public restroom. Santa Ana Mun. Code §§ 10-94; 10-95.

- Prohibits sleeping, lying, or standing upon a bus bench or shelter during hours when the bus route is not in operation. Santa Ana Mun. Code § 33-113.
- San Rafael:
  - Prohibits camping in open spaces, within 100 feet of playgrounds, within 250 feet of schools, and on sidewalks. San Rafael Mun. Code § 19.50.030.
  - Limits campsite sizes to 200 sq. ft. for single occupants, 400 sq. ft. for multiple occupants, and requires a 10-foot buffer between campsites. San Rafael Mun. Code § 19.50.040.

The proposed ordinance will prohibit an individual from loitering, sitting, laying down, or sleeping on any street, alley, sidewalk, park or other public place, or in or about the entrance or exit of any public or private building, in a way that obstructs the free passage of persons along the public way or obstructs persons entering or exiting any building.

## **ii. Camping on Private Property**

In addition to prohibiting camping on public property, Brea, Placerville, Indio, and Fremont prohibit camping on private property without the owner's consent. Placerville also limits camping on private property to a maximum of seven consecutive days. Placerville Mun. Code § 6-19-4(B)(2). Fremont prohibits camping for more than 72 hours on private land not designated for camping. Fremont Mun. Code § 8.90.040.

The proposed ordinance will prohibit camping on private property without the consent of the private property owner or other lawful user of the private property.

## **C. Unlawful Storage of Personal Property**

Another type of regulation adopted by many jurisdictions throughout California prohibits individuals from leaving or storing personal belongings in public places, such as city sidewalks, streets, parks, or other public property. The purpose of these restrictions is to ensure that personal property is not accumulated and stored in certain public areas in a manner that would impede the public right of way, create trip and fall hazards, or pose health and safety risks to the general public using the public spaces for their intended purposes.

Section 12.24.030 of the Suisun City Code makes it unlawful for a person to store personal property in any public street, public parking lot, or public area. Suisun City Mun. Code § 12.24.040. Indio and Brea have similar broad prohibitions against storing any personal property in public areas. Indio Mun. Code §130.020(d)(1); Brea Mun. Code § 8.44.030. Other cities have adopted more targeted storage restrictions. For example, Fremont prohibits storing personal

property on public property after clearly posted closure times. Fremont Mun. Code §8.90.040(f). Merced prohibits camping and storing personal property at any park, street, sidewalk, public parking lot, or public area, and within 1000 feet of any school.

In addition, several cities have adopted narrowly focused ordinances that identify and prohibit interference with vehicles and pedestrians in public rights-of-way or other access points. Some examples include:

- Brea: Prohibits obstructing access to or maintenance of public equipment or a public facility by loitering, sitting, lying, or sleeping on public property, or abandoning, storing, using, maintaining, or placing personal property on public property.
- Newport Beach: Prohibits sleeping, lying, sitting, or storing personal property in a manner that limits access to an ATM, electric vehicle charging station, parking pay station, parking meter, or public path/trail.
- Santa Ana: Prohibits obstructing access by sitting, lying, sleeping on public property, or by storing, using, maintaining, or placing personal property in public right of way including in a manner that is within a specified proximity to a driveway, ramp, fire hydrant, public restroom, park, trail, or path, ATM, parking meter, or school.

The proposed ordinance will prohibit storing personal property on any public property, unless otherwise authorized by the city manager.

#### **D. Removal of Personal Property from Public Property**

In general, cities have adopted provisions that provide 24 to 72 hours' advanced notice for the removal of personal property and 30 to 90 days' storage periods before disposal of removed or impounded property. Several cities have adopted detailed regulations that outline the procedures for impounding or seizing personal property, including pre- and post-removal notices, storage duration, and retrieval processes. Other cities reference general removal policies rather than outlining procedures. For example, Fremont authorizes the city manager to adopt procedures for property recovery. If no policy is adopted, property left on lands where camping is prohibited for more than 24 hours may be impounded. Fremont Mun. Code § 8.90.050. Santa Ana's ordinance references a city policy that provides due process and retrieval procedures. Santa Ana Mun. Code § 31-2.3.1.

Some cities have also adopted procedures allowing for the immediate removal of personal property without notice under specific conditions. For example, Brea allows impoundment without notice "if there is a reasonable belief that it is abandoned, presents an immediate

threat to public health or safety, is evidence of a crime, is evidence in a criminal investigation, or is contraband.” Brea Mun. Code § 8.44.050(A).

The proposed ordinance will outline requirements for the removal, storage, and disposal of personal property unlawfully stored on public property. The new provisions also require notices to be posted on unlawfully stored personal property for at least twenty-four (24) hours before removal.

## **E. Penalties and Enforcement**

Post-*Grants Pass* cities have adopted penalties and enforcement measures that include a combination of criminal and civil actions, including infractions, jail time, restraining orders, preliminary injunctions, and exclusion orders. Compared to other cities, Suisun City’s existing regulations provide fewer enforcement and penalty options.

### **i Infractions and Misdemeanors**

Suisun City currently imposes a fine of up to \$50 for a first violation. It allows for the prosecution of subsequent violations as misdemeanors, with penalties including a fine of up to \$1,000 and/or up to 6 months in jail. Suisun City Mun. Code § 12.24.050. This is consistent with several cities that treat initial violations as infractions, punished by a fine ranging from \$50 to \$100. Additionally, several cities have similar misdemeanor penalties, including fines of up to \$1,000 and jail terms of up to 6 months or 1 year.

### **ii. Escalating Fines**

Some cities have adopted incremental fine schedules that increase penalties for repeat infractions. For example, Indio adopted an escalating fine schedule: \$100 for a first offense, \$200 for a second offense within one year, and \$500 for a third offense within one year. Indio Mun. Code § 130.020(G)(2).

### **iii. Enforcement Officer Discretion**

In addition, cities such as Brea, Indio, and Santa Ana provide the city attorney or citing officer discretion to punish the first, and subsequent, violation as a misdemeanor or an infraction. This approach enables officers to tailor penalties to the context of the violation and the violator’s conduct. Suisun City could adopt a similar provision to give officers flexibility to pursue infraction or misdemeanor charges for the first violation.

**iv. Administrative Citations**

In addition to criminal charges, several cities, including Santa Ana and Davis, authorize administrative citations for violations of camping ordinances. Unlike criminal penalties, administrative citations allow cities to address ordinance violations without involving the courts. Suisun City Municipal Code § 1.20.010 currently provides administrative citations may be pursued by the city as an alternative to any criminal prosecution to address any violation of Title 12.

**v. Exclusion Orders**

Some cities had adopted provisions that allow enforcement of camping ordinances with exclusion orders, which bar individuals from returning to a specific public area for a defined period following a violation. For example, Merced adopted an ordinance authorizing exclusion orders that prohibit repeat violators from specified public spaces for up to 30 days. Merced Mun. Code § 9.51.070(B). Temple City allows for a 60-day exclusion for individuals who commit a felony, cause property damage exceeding \$1,000, or engage in threatening behavior. The proposed ordinance will add exclusion orders to the list of penalties enforcement officers may issue to individuals who violate this ordinance. The new exclusion order provisions will allow enforcement officers to prohibit individuals from public parks or city-owned or operated public utilities for thirty (30) days when the individual has received multiple citations for violations on the same public park or city-owned or operated public utility.

**vi. Discretion to Adopt Regulations and Policies**

Several cities adopted regulations that provide city departments or executives discretion to adopt administrative rules or policies regarding the enforcement of camping ordinances. For example, Davis and Sacramento authorize the director of parks and community services or the city manager to adopt regulations regarding camp operation, maintenance, security, sanitation, and quiet hours. Davis Mun. Code § 26.11.060; Sacramento Mun. Code § 12.52.070. The proposed ordinance will authorize the city manager to modify or suspend the enforcement of this ordinance. Additionally, the new provisions enable the city manager to adopt administrative rules or policies that govern or guide enforcement. This allows enforcement measures to be updated without the need for a formal ordinance amendment.

**vii. Public Nuisance**

Many cities have amended their ordinances to explicitly declare unlawful camping or storage of personal property on public land a public nuisance, allowing for enforcement through nuisance

abatement procedures. For example, Fremont declares unlawful camping violations to be nuisances subject to abatement “by the city by any lawful means.” Fremont Mun. Code § 8.90.060(b)(3). Suisun City currently provides that “[a]ny violation of any provision of the Suisun City Municipal Code is hereby declared to be a public nuisance.” Suisun City Mun. Code § 8.12.100.

### **III. Conclusion**

In general, post-*Grants Pass*, cities have updated their anti-camping ordinances to provide more detailed prohibitions and expanded the types of enforcement options available. While Suisun City’s existing ordinance is generally consistent with others across the state, clarifying certain definitions would help clarify the ordinance’s scope and in turn, make the ordinance more enforceable. In addition, adding exclusion orders to the list of enforcement options may assist in enforcing the ordinance without the required involvement of the courts.

12.24.010 - Applicability.

This chapter is enacted to ensure that the public streets and areas within the city should be readily accessible and available to residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use the areas for which they were intended. The purpose of this chapter is to maintain public streets and areas within the city in a clean and accessible condition.

(Ord. 655 § 1 (part), 2001)

12.24.020 - Definitions.

For purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

"Camp" means to pitch or occupy camp facilities; to use camp paraphernalia.

"Camp facilities" include, but are not limited to, tents, huts or temporary shelters.

"Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, bedding, sleeping bags, hammocks or noncity designated cooking facilities and similar equipment.

"Park" means any reservation, playground, swimming pool, recreation center, or any other area in the city, owned or used by the city and devoted to active or passive recreation, excluding golf courses.

"Public street" means the same as defined in Section 18.04.590 of this Code.

"Store" means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

(Ord. 655 § 1 (part), 2001)

12.24.030 - Unlawful camping.

It is unlawful for any person to camp, occupy camp facilities or use camp paraphernalia in the following areas, except as otherwise provided:

- A. Any public street;
- B. Any public parking lot or public area, improved or unimproved.

(Ord. 655 § 1 (part), 2001)

12.24.040 - Storage of personal property in public areas.

It shall be unlawful for any person to store personal property, including camp facilities and camp paraphernalia, in the following areas, except as otherwise provided:

- A. Any park;
- B. Any street;
- C. Any public parking lot or public area, improved or unimproved.

(Ord. 655 § 1 (part), 2001)

12.24.050 - Violations.

The first violation of this chapter shall be an infraction punishable by a fine not exceeding \$50.00. The second and each subsequent violation of this chapter within a one-year period, may be prosecuted as a misdemeanor, punishable in accordance with Chapter 1.08.

(Ord. 655 § 1 (part), 2001)

(Ord. No. 808, § 13, 12-5-2023)

18.57.010 - Purpose.

This chapter defines where and in what manner mobile living units may be used for living and sleeping purposes or prohibited from such uses.

(Ord. No. 743, § 3, 3-21-2017)

18.57.020 - Applicability.

The chapter applies to mobile living units operating within any zoning district in the city, regardless of whether the unit is located on public or private property, and whether the use is personal or commercial in nature.

(Ord. No. 743, § 3, 3-21-2017)

18.57.030 - Definitions.

"Commercial coach (or commercial modular)." A structure transported in one or more sections designed and equipped for human occupancy for industrial, professional, or commercial purposes.

"Mobile living unit." Includes recreational vehicle, commercial coach, truck camper, travel trailer, park trailer, camp trailer or floating home, as defined in Section 18010 of the California Health and Safety Code (recreational vehicle as also defined in Section 799.29 of the 2011 Mobilehome Residency Law) or any other vehicle or structure designed or altered and that is designed for human habitation for recreational, emergency, or other occupancy; contains less than 400 square feet or less of gross area, and less than 320 square feet of living area, is built on a single chassis, and is self-propelled, truck-mounted, or permanently towable.

(Ord. No. 743, § 3, 3-21-2017)

18.57.040 - Use or occupancy of mobile living units for living or sleeping.

It is unlawful for any person to occupy, for living or sleeping purposes, any mobile living unit upon any street, alley, road, highway, public parking lot, or upon any other parcel of publicly or privately owned real property, except as provided in this chapter.

(Ord. No. 743, § 3, 3-21-2017)

18.57.050 - Permitted use and occupancy of mobile sleeping units.

This chapter shall not apply to or prohibit the occupancy of mobile living units for living or sleeping purposes at the following times or places:

- A. While the mobile living unit is in motion upon a street, road, highway or alley;
- B. While the mobile living unit is parked in a lawfully established and licensed mobile home park (as defined by Chapter 2.5, Article 1, Section 798.4 of the 2011 Mobilehome Residency Law, California Civil Code), recreational vehicle park (as defined by Section 18862.39 of the California Health and Safety Code) or labor camp (subject to Title 8, Section 3350 of the California Labor Code), or in other public or private facilities which are designed, equipped and licensed by the city to accommodate mobile living units and which provide for temporary or permanent utility connections to such mobile living unit;
- C. While the mobile living unit is parked on private property, and not on a public street, parking lot, or right-of-way, at the invitation of the person owning or having the right to possess the private property and:
  - 1. The mobile living unit is not connected to any utility or sewer or wastewater facilities other than a temporary electrical connection installed and connected to the mobile living unit in compliance with all applicable laws and ordinances of the city,
  - 2. The owner or persons having the right of possession of the private property upon which the mobile living unit is parked received no direct or indirect payment, gratuity or remuneration of any kind from the owner of or occupant of the mobile living unit for allowing the same to be parked upon said private property,
  - 3. The invited mobile living unit (the guest) is not parked on the same private property for more than seven days in any 12-month period,
  - 4. The occupants of the mobile living unit do not discharge any litter, sewage or wastewater, effluent, garbage or other matter out of or from the mobile living unit while so parked except into public or private facilities intended for the disposal of such material, and
  - 5. The mobile living unit is completely self-contained so far as utilities are concerned including disposal of wastewater and sewage.

(Ord. No. 743, § 3, 3-21-2017)

#### 18.57.060 - No prohibition of storage.

Nothing in this chapter shall be deemed to prohibit an owner or occupants of a mobile living unit from parking the same upon property owned by him or her of which he or she has the right of possession as long as the mobile living unit is not used for living or sleeping purposes or in violation of any other provisions of this chapter.

<sup>§</sup>  
4 (Ord. No. 743, § 3, 3-21-2017)

18.57.070 - Punishment for violation.

Violation of any of the provisions of this chapter shall constitute an infraction

(Ord. No. 743, § 3, 3-21-2017)

18.57.080 - Declaration of public nuisance.

Any occupancy or use of a mobile living unit and the mobile living unit itself, parked or occupied in violation of the provisions of this chapter shall be and the same is declared unlawful and a public nuisance. The city may initiate any necessary proceeding for the abatement, removal and prohibition of use thereof in the manner provided by law and may take all steps available to it to accomplish such ends, and may apply to a court of competent jurisdiction for granting such relief that will remove and abate that mobile living unit upon a site or place or in a manner contrary to the provisions of this chapter. The remedies prescribed in this chapter are cumulative and nonexclusive.

(Ord. No. 743, § 3, 3-21-2017)

21.06.070 - Overnight camping in marina land areas prohibited.

Use of marina land areas for overnight camping or sleeping is prohibited. The director may authorize camping during special events only if the event contributes significantly to the benefit or betterment of the community.

(Ord. 647 (part), 1999; Ord. 615 (part), 1999)



# Summary of Proposed Camping Ordinance Amendments

June 3, 2025

**Presented by: Patrick Enright, City Attorney**

# Overview

---

- The City has seen an increase in unauthorized encampments, negatively impacting public spaces and local businesses.
- Encampments have created health and safety concerns, including fire risks, hazardous waste, and unsanitary conditions.
- Current ordinance provides limited options for City to effectively remove unlawful encampments.
- The Proposed Ordinance provides additional camping regulations and enforcement options to help protect the health, welfare and safety of the City's residents.

# Background:

## GRANTS PASS V. JOHNSON

---

- Argued that the City's practice of ticketing unhoused individuals for camping in public violated the 8th Amendment to the US Constitution
- prohibits "cruel and unusual punishment"



# Background: GRANTS PASS V. JOHNSON

---

- **9th Circuit Court of Appeals had ruled in favor of plaintiffs**
  - Criminalizing the act of sleeping in public violated the 8<sup>th</sup> Amendment if the homeless population outnumbered the number of “practically available” shelter beds





**US Supreme Court rules that  
enforcing laws that prohibit  
camping on public property  
is not cruel and unusual  
punishment**



# US Supreme Court Rationale

---

- **Local governments have “broad power” over the substance of their criminal laws.**
  - Cities can criminalize knowing or intentional drug use or possession, public urination, starting fires, littering, harassment, theft, roadway obstruction, and even sleeping or camping on public property.
  - Criminal penalties are not “cruel” or “usual“.”

# Regulating Camping on Public Property

---

- **Cities may freely enforce laws regulating camping on public property**
  - Cities no longer need to deal with the monumentally difficult and expensive task of keeping an accurate accounting of the number of homeless person
  - Nor will cities have to assess the “adequacy” and “availability” of shelter space
  - Cities may now enforce their camping and sleeping ordinances

# Governor's Order N-1-24 (2024)

---

- July 25, 2024 - Ordered state agencies to address dangerous encampments immediately and urged cities to do the same
- May 15, 2025 - Governor released a model ordinance for cities and counties

# Suisun City Current Camping Ordinance

---

## ■ Chapter 12.24

- Unlawful to camp, occupy camp facilities or use camp paraphernalia in:
  - in any public street,
  - parking lot or public area, improved or unimproved
- Ordinance was adopted in 2001 and never revised per the 9<sup>th</sup> Circuit Court of Appeals decision
- Current Ordinance lacks clear definitions and provides limited enforcement options

# Proposed Camping Ordinance

# Proposed Ordinance - Overview

---

- **Updates Chapter 12.24 (Camping on Public Property)**
  - Does not change Chapter 18.57 for Mobile Living Units and Section 21.06.070 regarding sleeping overnight in the Marina District
- **Incorporates definitions proposed in the Governor's Model Ordinance**

# Use of Vehicles for Human Habitation

---

- **Prohibits use of vehicles for human habitation on public property**
  - Amends definition of “camp facilities” to mean all temporary shelters, “including but not limited to, tents, huts, vehicles, vehicles camping outfits...”
- **Current ordinance does not prohibit living in vehicles**

# Camping

---

- **Prohibits camping on:**

- Public or private properties not designated and equipped, or otherwise authorized for such camping;
- Any location within 200 feet of any posted notice to vacate or other sign prohibiting sitting, sleeping, lying, camping, or placing personal property in that location.

- **Prohibits overnight camping on private residential property without the owner's consent.**

- Current ordinance does not prohibit camping on private property.

# Unlawful Obstructions

---

- Adds section prohibiting loitering, sitting, lying down, or sleeping on any street, sidewalk, park, or other public place in a manner that obstructs the entrances or exit of any public or private building
- Any person who refuses or fails to disperse or move when directed to do so by an enforcement officer is in violation of this prohibition.

# Storage of Personal Property on Public Property

---

- **Existing code prohibits storage of personal property in any park, street, or public parking lot or public area.**
- **Proposed Ordinance:**
  - Retains City's ban on storing personal property on public property
  - Establishes 24 hour pre-removal notice requirements
  - Lists information that must be included in notice
  - Establishes protocol for removing unlawfully stored personal property
  - Requires storing property for 90 days (or duration required by law)

# Supplemental Rules and Regulations

---

- Allows the City to modify or suspend enforcement of any section in the event of a declared emergency
- Allows the City to adopt administrative rules or policies governing or guiding enforcement of camping regulations

# Enforcement

---

- **1<sup>st</sup> violation is an infraction punishable by a fine not exceeding \$50.00**
- **2<sup>nd</sup> and each subsequent violation within a one-year period may be prosecuted as a misdemeanor, punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail not to exceed six months, or both**
  - Misdemeanor requires booking at the county jail
  - Citing as misdemeanor on the second violation is not mandatory – could be cited for an infraction again a second time

# Enforcement

---

- **Additional enforcement mechanism – Exclusion Orders**
- **Exclusion Order temporarily prohibits an individual from a public park or essential City-owned or operated public utility for 30 days when the individual has:**
  - Violated the Camping Ordinance two or more times in one year; or
  - Violated state law one or more times in one year; or
  - Within three months, violates the Camping Ordinance or state law on another public park or City public utility.
- **The individual issued an Exclusion Order can appeal.**

# Other Code Enforcement Options

---

- **Administrative citation – Chapter 1.20**
  - Section 1.20.010 provides an alternative to any criminal prosecution which may be pursued by the city to address any violation of this code



**Thank you!**

Patrick Enright, City Attorney  
Richards, Watson & Gershon  
[penright@rwglaw.com](mailto:penright@rwglaw.com)

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Housing Authority Adoption of Resolution No. HA 2025-\_\_: Approving Administrative Plan Revisions to the Housing Choice Voucher Program Required by the United States Department of Housing and Urban Development.

---

**FISCAL IMPACT:** None.

---

**STRATEGIC PLAN:** Provide Good Governance.

---

### **BACKGROUND:**

The Administrative Plan outlines the policies and procedures governing the Suisun City Housing Authority's (SCHA) administration of the Housing Choice Voucher (HCV) program, as required by the U.S. Department of Housing and Urban Development (HUD). Periodic updates are necessary to ensure compliance with federal regulations and to reflect changes in program administration, policy priorities, and operational procedures.

Three major HUD initiatives have prompted the current proposed revisions:

1) Housing Opportunity Through Modernization Act (HOTMA) of 2016:

HUD published final rules implementing Sections 102, 103, and 104 of HOTMA in January 2023. These provisions affect income calculations, asset limitations, and eligibility determinations for families participating in the HCV and Public Housing programs. PHAs are required to adopt HOTMA-compliant policies by July 1, 2025.

2) National Standards for the Physical Inspection of Real Estate (NSPIRE):

NSPIRE replaces the previous Uniform Physical Condition Standards (UPCS) and Housing Quality Standards (HQS). It emphasizes health and safety through objective, standardized inspection criteria. NSPIRE implementation is required by October 1, 2025.

3) HUD-Veterans Affairs Supportive Housing (VASH) Program:

The HUD-VASH program combines HCV rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA). VA provides these services for participating Veterans at VA medical centers, community-based outreach clinics, through VA contractors, or through other designated entities. In January 2025, HUD awarded five VASH vouchers to the SCHA and began implementing the program on May 1, 2025.

---

### **STAFF REPORT:**

Key updates to the Administrative Plan include:

HOTMA-Related Revisions:

- Because HOTMA 102/104 policies do not have a full compliance date set by HUD, Chapters 6, 7, and 11 are labeled with “A” as these chapter contain policies. When HUD’s full compliance date is set, a “B” version will be presented for adoption.
- Revised income determinations to reflect new definitions of annual and adjusted income thus aligning HUD programs with IRS definitions to simplify and streamline calculations.
- Elderly/disabled family deduction increased from \$400 to \$525.
- Implementation of new asset limits for eligibility. Examples include: (a) the exclusion of certain retirement and education savings accounts; and (b) and households owning real property suitable for occupancy are generally ineligible.
- Adjustments to interim reexamination policies, including minimum thresholds for reexaminations at 10 percent.
- Eliminated the Earned Income Disregard (EID) which was viewed as an administrative burden by many housing agencies.

#### NSPIRE-Related Revisions:

- Found in Chapter 8
- Adoption of NSPIRE physical inspection protocols for HCV units.
- Prioritized resident health and safety with real-world risk levels (Low, Moderate, and Severe).
- Enhanced documentation and reporting procedures for inspections and owner compliance.

#### HUD-VASH Program-Related Revisions:

- Chapter 19 added to encompass special purpose vouchers including VASH.
- Identified targeted funded under 24 Code of Federal 982.204(e).
- Specified eligibility criteria including income limits and veteran status.
- Established referral process through the VA Medical Centers in lieu of a standard housing authority waiting list.

On April 16, 2025, a public notice was published in the Daily Republic regarding the public hearing on the Administrative Plan in accordance with HUD regulations. The draft Administrative Plan update was made available for public review and comment at the Housing Authority Office and website. The Public Hearing was originally scheduled for May 20, 2025. The item was continued to June 3, 2025.

---

**STAFF RECOMMENDATION:** It is recommended that the Authority adopt Resolution No. HA 2025-\_\_\_: Approving Revisions to the Housing Choice Voucher Administrative Plan Required by the U.S. Department of Housing and Urban Development.

---

#### DOCUMENTS ATTACHED:

1. Resolution No. HA 2025-\_\_\_: Approving Revisions to the Housing Choice Voucher Administrative Plan Required by the U.S. Department of Housing and Urban Development.
  2. Daily Republic Proof of Publication dated April 16, 2025: Public Hearing Housing Authority of the City of Suisun City Administrative Plan Update
  3. Administrative Plan Update 2025 DRAFT (Due to size the document is available for review at the City Clerk's office or online at <https://www.suisun.com/files/sharedassets/suisuncity/v/2/departments/housing-authority/documents/scha-admin-plan-draft-2025.pdf>).
- 

**PREPARED BY:**

Jason Goltiao, Housing Programs Manager

**REVIEWED BY:**  
**APPROVED BY:**

Bret Prebula, City Manager  
Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. Resolution Approving Revisions to the SCHA Administrative Plan
2. Daily Republic Public Notice Admin Plan 2025
- .

**RESOLUTION NO. HA 2025-\_\_**

**A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SUISUN CITY  
APPROVING UPDATES TO THE HOUSING CHOICE VOUCHER ADMINISTRATIVE  
PLAN REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) requires that the Housing Authority of the City of Suisun City adopt and maintain an Administrative Plan for its Housing Choice Voucher (HCV) Program; and

**WHEREAS**, said Administrative Plan is to establish policies for working within local rental markets; and

**WHEREAS**, HUD has issued final rules for the Housing Opportunity Through Modernization Act of 2016 (HOTMA) requiring compliance no later than July 1, 2025; and

**WHEREAS**, HUD has replaced Housing Quality Standards (HQS) with the National Standards for the Physical Inspection of Real Estate (NSPIRE) for HCV and Public Housing programs, requiring PHAs to adopt inspection policies aligned with NSPIRE protocols no later than October 1, 2025; and

**WHEREAS**, the Housing Authority of the City of Suisun City has expanded its participation in the Veterans Affairs Supportive Housing (VASH) program in collaboration with the Department of Veterans Affairs effective May 1, 2025, and must incorporate program-specific procedures and requirements into its Administrative Plan; and

**WHEREAS**, the staff of the City of Suisun City has reviewed and revised the Administrative Plan to comply with these federal mandates and operational updates, and has submitted such revisions to the Board for review and approval;

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Authority hereby approves the Administrative Plan updates as shown in Exhibit A and authorizes the Executive Director, or his designee, to submit the Administrative Plan to HUD.

**PASSED AND ADOPTED** at a Regular Meeting of the Housing Authority of Suisun City, duly held on the Tuesday, June 3, 2025, by the following vote:

<b>AYES:</b>	COMMISSIONERS	_____
<b>NOES:</b>	COMMISSIONERS	_____
<b>ABSENT:</b>	COMMISSIONERS	_____
<b>ABSTAIN:</b>	COMMISSIONERS	_____

**WITNESS** my hand and seal of said Housing Authority this 3<sup>rd</sup> day of June 2025.

\_\_\_\_\_  
Anita Skinner,  
City Clerk

PROOF OF PUBLICATION  
(2015.5 C.C.P.)

STATE OF CALIFORNIA  
County of Solano

I am a citizen of the United States and a resident of Solano County. I am over the age of eighteen years and not a party to, or interested in, this Legal or Public Notice matter. I am the principal Legal Advertising Clerk for the

DAILY REPUBLIC  
1250 Texas Street  
P.O. Box 47  
Fairfield, CA 94533

a newspaper of general circulation printed and published mornings, daily and Sunday, in the City of Fairfield, County of Solano, which has been adjudged a newspaper of general circulation by the Superior Court of the County of Solano, State of California. Case Number 25875, on June 30, 1952.

I certify under penalty of perjury that the attached Legal or Public Notice has been published in each regular and entire issue of the Daily Republic, and not in any supplement, on the following dates(s):

April 16

In the year:

2025

By:



Connie Stinson, Legal Advertising Clerk /

Date:

April 16, 2025

This Space for Filing Stamp

Attach

NOTICE OF PUBLIC HEARING

HOUSING AUTHORITY OF THE CITY  
OF SUISUN CITY  
ADMINISTRATIVE PLAN UPDATE

re

NOTICE IS HEREBY GIVEN that the Suisun City Housing Authority will hold a public hearing to provide an opportunity for verbal comments and discussion regarding the Administrative Plan revision for its Housing Choice Voucher Program. The public hearing will be held at a regular meeting of the Housing Authority on Tuesday, May 20, 2025, at 6:30 p.m., or as soon thereafter as the matter can be heard, at the Suisun City Council Chambers, 701 Civic Center Boulevard, Suisun City, California. All interested parties are invited to attend and comment on the proposed document. Written or verbal comments may also be submitted until May 20, 2025, at 5:00 p.m., to: Jason Goltiao, Housing Programs Manager, telephone: (707) 421-7332 or email: jgoltiao@suisun.com.

A draft of the updated Administrative Plan will be available for public review on the Suisun City Housing Authority's website at [www.suisun.com/Departments/City-Manager/Suisun-City-Housing-Authority](http://www.suisun.com/Departments/City-Manager/Suisun-City-Housing-Authority) and the Suisun City Housing Authority Office Mondays and Tuesdays from 9:00 a.m. to noon, and Wednesdays and Thursdays from 1:00 p.m. to 5:00 p.m. Key changes include the implementation of policies relating to the Housing Opportunity Through Modernization Act (HOTMA) and the National Standards for the Physical Inspection of Real Estate (NSPIRE) to comply with HUD regulations.

For any questions regarding the Administrative Plan, please contact Housing Programs Manager Jason Goltiao at [jgoltiao@suisun.com](mailto:jgoltiao@suisun.com) or (707) 421-7332. DR#00080483

Published: April 16, 2025

THIS PAGE INTENTIONALLY LEFT BLANK

## **AGENDA TRANSMITTAL**

**MEETING DATE:** June 3, 2025

---

**AGENDA ITEM:** Council Adoption of Resolution No. 2025 - \_\_: A Resolution of the City Council of the City of Suisun City, California, Adopting Rules of Procedures and Conduct of Commissioners, Committee Members, and Board Members.

---

**FISCAL IMPACT:** None.

---

**STRATEGIC PLAN:** Good Governance.

---

**BACKGROUND:** In October 2024, the City Council updated its Norms and Procedures for City Council Members. This Resolution will adopt similar rules and procedures for the City's Commissions, Board, and Committees. In particular, the Resolution addresses standard of conduct, demeanor, decorum, and conduct of meetings, code of ethics, conflicts, political activities, use of office for personal gain, and representation of the Commissioner's Belief as the Belief of the Commission.

---

### **STAFF REPORT:**

In accordance with prior direction from Council, staff has prepared the attached draft Rules of Procedure for the Conduct of City Commissioners, Committee Members, and Board Members for the City Council's consideration.

Currently there is no citywide policy which outlines procedural and conduct expectations for Commissioners, Committee Members, and Board Members. While these officials have been following implicit expectations, it is more prudent and appropriate to have a formal document describing the expectations of these officials, and consequences for failure to comply, in the future.

Specifically, this Resolution outlines six steps related to commission decorum and the conduct of meetings. It requires commissioners desiring to speak to address the chair, to be confined to the question under debate, to not interrupt one another, to provide each other with utmost courtesy, and grants commissioners the right to move to require the chair to enforce these rules.

This Resolution requires every public official to follow a code of ethics and to conduct themselves in a manner that will preserve public confidence in and respect for the government they represent. This code requires each official to treat all citizens with courtesy, impartiality, and equality under the law, and to avoid any actual or potential conflicts between their private self-interests and the public interest.

This Resolution briefly described the obligations of officials under the State Political Reform Act as they relate to Form 700 disclosures of economic interests, and conflicts related to financial or personal gain. It also addresses conflicts related to incompatible employment, representation of private persons, and a prohibition on receipt of gifts and favors. It also prohibits officials from participating in any political activity which would be in conflict with performance of their official duties.

This Resolution prevents officials from using or attempting to use their role with the City for personal gain including financial, career, social, and personal satisfaction-related gains. In order to more

specifically implement this obligation, the Resolution prohibits officials from wearing any part of their City uniform to an event where they are not conducting official business for the City. It also prohibits Commissioners from speaking on behalf of the City or their Commission, and encourages individual Commissioners to clarify that they are speaking in their individual capacity in any circumstance where it may otherwise be unclear.

City officials have largely been following these expectations up until this point as they are generally implied in their roles with the City. However, it is prudent for the City to consider formalizing these expectations and rules in writing to prevent any misunderstandings or problems in the future. This Resolution makes it such that a violation of any ethical rules or the standards of conduct outlined in the Resolution may result in the official's removal from their role.

Staff recommends that the City Council consider the draft Resolution, provide direction to staff regarding any modifications that may be desired, and consider adopting the Code of Conduct.

---

**STAFF RECOMMENDATION:** It is recommended that the City Council Adopt Resolution No. 2025-\_\_: A Resolution of the City Council of the City of Suisun City, California, Adopting Rules of Procedures and Conduct of Commissioners, Committee Members, and Board Members.

---

**DOCUMENTS ATTACHED:**

1. Council Adoption of Resolution No. 2025 -\_\_: A Resolution of the City Council of the City of Suisun City, California, Adopting Rules of Procedures and Conduct of Commissioners, Committee Members, and Board Members
2. PowerPoint Presentation

---

**PREPARED BY:**

Patrick Enright, City Attorney

**REVIEWED BY:**

Patrick Enright, City Attorney

**APPROVED BY:**

Bret Prebula, City Manager

---

**ATTACHMENTS:**

1. [2025- Commission Norms Procedures Reso.docx](#)
2. [Presentation for Resolution Adopting Council Norms and Procedures.pdf](#)

## **RESOLUTION NO. 2025-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF COMMISSIONERS, COMMITTEE MEMBERS, AND BOARD MEMBERS.**

#### **RECITALS**

A. The primary intent of California's open meeting law, the Brown Act, is that the people's business be conducted openly and transparently, after providing an opportunity to the largest number of members of the public to directly address a city commission, committee, or board before any action is taken on any item. The Brown Act mandates that city commissions, committee and boards adopt rules for "the conduct of business" and requires that agendas for regular meetings provide "an opportunity for members of the public to directly address the legislative body on any item of interest to the public" including agenda items before or during the legislative body's consideration of the item that is within the subject matter jurisdiction of the legislative body.

B. The Brown Act provides that city councils "may adopt reasonable regulations to ensure the intent" of the Brown Act is carried out. As amended by the City Council, the rules of procedure provide an opportunity for public members to directly address the commission, committee, and board on any item on the agenda before consideration of the item, in full compliance with the Brown Act, at a reasonable time. The Suisun City Council periodically reviews and amends the commission, committee, and board rules of procedure to facilitate the efficient and transparent conduct of the City's business at a reasonable hour.

C. The City Council desires to amend the rules of order to facilitate effective and efficient meeting management, greater transparency, and meaningful public participation.

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

#### **SECTION 1.            PURPOSE AND INTENT**

The City Council, by Ordinance, has established a number of commissions, committees and boards (collectively referred to herein as "commissions") which receive information, investigate, review and make decisions and recommendations regarding many areas of the City's business. In creating these commissions, the City Council has further obligated itself to the establishment of procedural regulations and standards of conduct for commissioners in carrying out their duties on behalf of the City. The purpose of this Resolution is to set forth those procedural regulations and standards of conduct, with the intent that these regulations and standards will apply to all City commissioners, committee members, and board members (collectively referred to herein as "commissioners").

It is specifically not the intent of this Resolution that the regulations and standards set forth herein should preempt or supersede conflicting regulations and standards or state or federal law. Where a conflicting provision appears in state law or City ordinances relating to a particular commission, the specific law or ordinance shall apply rather than the general provisions set forth herein.

#### **SECTION 2.            PROCEDURAL RULES AND STANDARDS OF CONDUCT**

A. Commissioner Appointment: Members of each commission shall be appointed and shall serve for the period of time set forth in the ordinance creating the commission. Where there is no ordinance establishing a term, members of the commission shall be appointed and shall serve terms concurrent with the appointing Council Member.

Planning Commissioners shall only serve as a member of the Planning Commission and not serve on any other City advisory commissions while serving as a Planning Commissioner.

B. Commissioner Removal: Commissioners shall serve at the pleasure of Mayor. Commissioners may be removed by the Mayor without cause, as follows:

1. At the request of the Mayor, a Commissioner may be removed from office by a majority vote of the City Council.

2. At the request of a Council Member (with the Mayor dissenting), a Commissioner may be removed from office by a majority vote of the City Council.

Vacancies must be reported to the City Clerk and shall be filled in accordance with the law.

C. Commission Attendance: Commissioners are strongly encouraged to attend all regularly scheduled meetings. Any member of a commission who misses more than three regularly scheduled meetings within any fiscal year, without being excused by the Commission, shall be deemed to have vacated their position on the commission. The chair of the commission shall report to the Mayor or other person charged with appointing members of the commission, to the City Clerk, and to the member whose position has been declared vacated, that vacancy exists.

D. Terms of Office: Any commissioner may be appointed and reappointed to an unlimited number of repeated terms of office.

E. Residency Requirements: No person who is not a resident of the City shall serve on any commission having the authority to make binding decisions. Planning Commissioners shall be residents of Suisun City and shall maintain United States citizenship.

F. Commission Meetings: Each commission shall hold regular meetings at times and dates established by resolution of each commission, in accordance with meeting room and staff availability. Such meetings shall be held at the stated time and in a public place, and notice of such meetings shall be given in accordance with the provisions of the Brown Act, Government Code Section 54950 et seq. Each commission shall meet at least once a year for the purpose of reorganization.

G. Commission Members to Serve Without Pay: Except where otherwise specifically provided by ordinance, commissioners shall serve without pay. Commissioners shall not be reimbursed for time lost from work on City business. Commissioners may be reimbursed for actual costs expended while on City business, with the prior approval of the City Manager. Commissioners may be reimbursed for the use of their personal vehicles for City business at the rate allowed per mile for City employees and officers using personal vehicles on City business, with the prior approval of the City Manager.

H. Commission Demeanor, Decorum and Conduct of Meetings:

1. Any commissioner desiring to speak shall address the chair and, upon recognition by the chair, shall confine himself/herself to the question under debate.

2. A commissioner desiring to question the staff shall address his/her question to the City Manager or City Attorney, in appropriate cases, who shall be entitled either to answer the inquiry himself/herself or to designate some member of his/her staff for that purpose.

3. A commissioner, once recognized, shall not be interrupted while speaking unless called to order by the chair; unless another commissioner raises a point of order; or unless the speaker chooses to yield to questions from another commissioner.

4. Any commissioner called to order while he/she is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If the point or issue is ruled to be not in order, he/she shall remain silent or shall alter his/her remarks so as to comply with these rules.

5. Commissioners shall accord the utmost courtesy to each other, to City employees, and to the public appearing before the commission and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.

6. Any commissioner may move to require the chair to enforce the rules and the affirmative vote of a majority of the commission shall require him/her to so act.

I. Action by Resolution or Minute Action: Actions of commissions shall be taken by resolution or minute action.

J. Code of Ethics: The public judges its government by the way public officials and employees conduct themselves in the posts to which they are elected or appointed. The people have a right to expect that every public official will conduct himself/herself in a manner that will tend to preserve public confidence in and respect for the government represented. Such confidence and respect can best be promoted if every public official and employee, whether paid or unpaid, and whether elected or appointed, will uniformly: (a) treat all citizens with courtesy, impartiality, fairness and equality under the law; and (b) avoid both actual and potential conflicts between their private self-interests and the public interest. This code of ethics should apply to all commissioners.

K. Conflicts of Interest: The State Political Reform Act applies to all commissioners. Two important provisions:

1. Form 700 Disclosure of Economic Interest. The Act requires public officials to disclose assets and income that may be materially affected by their official actions by filing a "Statement of Economic Interests" (also known as a "Form 700"). For the purpose of this Resolution, the requirement applies to all commissioners. Each must file the Form 700 within 30 days after assuming office, annually, and upon leaving office, a final statement. Confer with the City Clerk as to this requirement.

2. Financial or Personal Interest. Generally, in addition to the disclosure requirements

for Form 700 filers, the Act requires all commissioners to disqualify themselves from making, participating in making, or in any way attempting to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest. An official has a disqualifying financial interest in a decision if the decision will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, directly on the official or a member of the official's immediate family, or on certain financial interests identified in the Act. A public official's financial interests include certain business entities, real property, sources of income, donors of gift, and certain personal finances of the public official and immediate family.

Whenever the performance of official duties shall require any commissioner to vote on any matter involving financial or personal interest, the commissioner, prior to the consideration of the matter, must immediately:

- (i) identify each financial interest that gives rise to the conflict in detail sufficient to be understood by the public (except that disclosure of the exact street address of a residence is not required);
- (ii) publicly state his or her recusal from the matter; and
- (iii) leave the room until after the disposition of the matter unless the matter appears on a consent calendar.

Under limited circumstances, the commissioner may appear before the board and speak as a member of the public regarding an applicable personal interest (e.g., a project may impact their residence). A former commissioner shall not, within one year after the date of termination from office, represent any person or business in a matter in which the former commissioner has performed an official act.

- L. Representation of Private Persons: No commissioner shall appear on behalf of any private person, other than himself or herself, before any commission or the City Council on a matter which is within the jurisdiction of his or her commission except with permission of commission, where the commissioner does not otherwise have a financial interest in the representation and where the commissioner refrains from official participation in the matter.
- M. Incompatible Employment: No commissioner shall engage in private employment with or render services for, any private person who has business transactions with the City which may come before the commission for recommendation or decision, unless the commissioner has first made full public disclosure of the nature and extent of such employment services, and the City Attorney has determined that such outside position is not an "incompatible office."
- N. Gifts and Favors: No commissioner shall accept any gift whether in the form of money, thing, favor, loan, or promise, that would not be offered or given if the commissioner were not in such a position.
- O. Confidential Information: No commissioner shall, without prior formal authorization of the City Council, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the City. Whether or not it shall involve disclosure, no commissioner shall use or permit the use of any such confidential information to advance the financial or personal interests of himself/herself or any other person.

- P. Fair and Equal Treatment: No commissioner shall grant or make available to any person any consideration, treatment, advantage, or favor beyond that which it is the general practice to grant or make available to the public at large. No official or employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, labor or service for the personal convenience or the private advantage of the official or employee or any other person.
- Q. Political Activities: No commissioner shall participate in any political activity which would be in conflict or incompatible with the performance of his or her official functions and duties for the City. No commissioner may use his or her official authority or position for the purpose of influencing or interfering with or affecting the results of any election, nor shall he or she solicit funds or contributions or accept or receive funds or contributions from City employees for political purposes. No commissioner may distribute pamphlets, petitions or handbills while he or she is performing his or her official functions and duties with the City. Nothing herein shall be construed to prohibit any commissioner from participating in the political process in his or her capacity as a private citizen.
- R. Use of Office for Personal Gain: Commissioners shall not use or attempt to use their role for personal gain. This includes financial, career, social, and personal satisfaction-related gains or any other benefit driven by self-interest. Commissioners shall not wear any part of their City uniform, badge or other City insignia to a meeting, an event or occasion a commissioner attends where they are not conducting official City business.
- S. Representation of Commissioner's Beliefs as Belief of Commission: Commissioners shall not speak on behalf of the City or their Commission. Only the group of commissioners as a whole has the authority to speak on behalf of the Commission. In order to avoid any appearance that a Commissioner is speaking on behalf of the Commission, the Commissioner should clarify that they are speaking in their individual capacity whenever there is risk of misunderstanding of authority.
- S. Violations of Ethical Rules or Standards of Conduct: Any violation of an ethical rule or standard of conduct may result in removal from the Commission.
- T. Channels of Communication: Commissioners should communicate with City staff through the City Manager or the City employee who has been designated by the City Manager as staff liaison to the Commission.

### **SECTION 3.            ADDRESSING THE COMMISSION - DECORUM AND ORDER**

#### **A. Manner of Addressing the Commission**

1. Any member of the public desiring to address the Commission shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, he/she shall state his/her name and address for the record.
2. All remarks and questions shall be addressed to the Chair and not to any individual Commission Member, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.
3. Any member of the Commission who has been recognized by the Presiding

Officer for such a purpose may address or respond to members of the public who have addressed the Commission pursuant hereto. Such an address or response shall not exceed three minutes in length, and shall be deemed to express the individual position or opinion of the Commissioner offering the same and shall not be construed to bind the Commission or the City in any manner. Unless otherwise directed by the Commission, the restrictions imposed by this Subsection (a) shall apply only to those portions of the Commission Agenda during which members of the public are permitted to make oral communications to the Commission.

- B. Time Provided for Communications from the Public: Any member of the public desiring to address the Commission shall be provided three minutes for his/her statement unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 4.5. Public Comments to the Commission may also be submitted to the City Clerk or Planning Secretary in written format either by email or other form of written correspondence. The City Clerk or Planning Secretary shall provide all written public comments to the Commission when received and/or during the Commission meeting. The City Clerk or Planning Secretary is not required to read each comment into the record.
- C. Addressing the Commission after Motion is Made: After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Commission.
- D. Limitations Regarding Communications from the Public and Reports: The making of oral communications to the Commission by any member of the public during the “Communications from the Public” portion of the agenda shall be subject to the following limitations:

- 1. At any time, before or after the oral communication has commenced, the Presiding Officer may, if he/she deems it preferable, direct that the communication be made instead either to the Planning Director or other appropriate staff member during regular business hours, or in writing, for subsequent submittal to Commissioners.

- 2. The Presiding Officer may limit the number of speakers heard on non-agenda topics at a single meeting. Those whose presentations are postponed shall be given priority at the next meeting during the “Communications from the Public” agenda item.

- 3. If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking, as to each side of an issue. In this regard, preference may be given to speakers who represent groups of persons who have designated a spokesperson.

- E. Decorum and Order - Commissioners: The following Parliamentary Procedures are meant to establish a framework for the orderly conduct of meetings, encourage discussion, and facilitate decision making by the body. The rules of order are meant to create an atmosphere where commissioners and the members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the Chair and Commissioners to maintain common courtesy and decorum. It is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak. The basic format for an agenda item discussion is as follows:

First, the Chair should clearly announce the agenda item number and should clearly state what the subject is.

Second, following the agenda format, the Chair should invite the appropriate people to report on the item.

Third, the Chair should ask Commissioners if they have any technical questions for clarification.

Fourth, the Chair should invite public comments.

Fifth, the Chair should invite a motion.

Sixth, the Chair should determine if any Commissioners wish to second the motion.

Seventh, if the motion is made and seconded, the Chair should make sure everyone understands the motion.

Eighth, the Chair should now invite discussion of the motion by the Commissioners.

Ninth, the Chair takes a vote. Simply asking for “ayes” and then the “nays” is normally sufficient.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the body has taken.

- F. Decorum and Order – Public: Members of the public attending any Commission meeting shall avoid any conduct that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Commission may order the meeting room cleared and continue the session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Commission from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

The following guidelines shall apply to all interactions between the public and Commissioners and:

1. All comments and interactions shall be conducted in a respectful manner.
2. Threats, including threats of violence, will not be tolerated.
3. Members of the public and Commissioners resolve to refrain from any behavior that disrupts or threatens to disrupt the Commission and governmental operations, including the following:
  - (a) Insulting, demeaning, intimidating, or offensive communications, including but not limited to, racial, ethnic, religious, sexual orientation or other offensive language against an individual or group of individuals;
  - (b) Harassment or intimidation of any Commission, City staff or

member of the public;

- (c) Willful destruction of property damage;
- (d) Conduct that threatens to provoke a violent reaction or which amounts to sexual harassment;
- (e) A continuing pattern of disruptive behavior; and
- (f) Notwithstanding the above, members of the public do have the right to make personal, critical or harsh remarks about any matter before the Commission.

- G. Enforcement of Decorum: As set forth in Government Code Section 54957.95, the Presiding Officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the Presiding Officer must warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The Presiding Officer may then remove the individual if they do not promptly cease their disruptive behavior. As used in this paragraph, “disrupting” means engaging in behavior during a meeting of the Commission that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.

Notwithstanding the preceding paragraph, if the individual disrupting the meeting is using force or a true threat of force, they may be removed without a prior warning to cease their behavior.

## **SECTION 4.            MOTIONS**

- A. Processing of Motions: When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.
- B. Motions out of Order: The Presiding Officer may at any time, by majority consent of the Commission, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.
- C. Division of Question: If the question contains two or more divisional propositions, the Presiding Officer may, and upon request of a member shall, divide the motion into two separate motions.
- D. Precedence of Motions: When a motion is before the Commission, no motion shall be entertained except the following, which shall have precedence in the following order:
- 1. Adjourn
  - 2. Fix Hour of Adjournment
  - 3. Table
  - 4. Limit or Terminate Discussion
  - 5. Amend
  - 6. Postpone
- E. Motion to Adjourn (Not Debatable): A motion to adjourn shall be in order at any time, except as follows:
- 1. When repeated without intervening business or discussion;
  - 2. When made as an interruption of a member while speaking;

3. When discussion has been ended, and a vote on a motion is pending; and
4. While a vote is being taken.

A motion to adjourn “to another time” shall be debatable only as to the time to which the meeting is adjourned.

- F. Motion to Fix Hour of Adjournment: Such a motion shall be set to a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.
- G. Motion to Table: A motion to table shall be used to temporarily bypass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be “taken from the table” at any time prior to the end of the next regular meeting.
- H. Motion to Limit or Terminate Discussion: Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.
- I. Motion to Amend: A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted on first, then the main motion as amended.
- J. Motion to Continue: Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.
- K. When Multiple Motions are Before the Governing Body: Up to three motions may be on the floor simultaneously. When two or three motions are on the floor (after motions and seconds) at the same time, the first vote should be the last motion made.

## **SECTION 5. VOTING PROCEDURE**

- A. Voting Procedure: In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Commissioner present may be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The City Clerk or Planning Secretary shall call the names of all members seated when a roll call vote is ordered or required. The order of voting shall be the maker of the motion first. The second shall be next. The next two shall be alternated and the Chairperson shall be last. Members shall respond “aye,” “no” or “abstain,” provided that when a vote is collectively taken by voice or when a method of voting other than by voice or roll call is used, any Commissioner not audibly and clearly responding “no” or “abstain” or otherwise registering an objection shall have his vote recorded as “aye.”

Any question before the Commission shall not require a roll call vote unless demanded by any member. It shall not be in order for members to explain their vote during roll call. Any member may change his/her vote before the next order of business.

- B. Failure to Vote: Every Commissioner should vote unless disqualified for cause.

Disqualification for cause includes but is not limited to, a conflict of interest in the decision that legally requires his or her recusal and disqualification from the decision.

- C. Reconsideration: Any Commissioner who voted with the majority may move a reconsideration of any action at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of the Commission.
- D. Tie Votes: Tie votes shall be lost motions. When all Commissioners eligible to vote are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal unless the Commission takes other action to further consider the matter. If a tie vote results at a time when less than all members of the Commission that are eligible to vote are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Commission, unless otherwise ordered by the Commission.

**SECTION 6. ADMINISTRATIVE OVERSIGHT OF AND ASSISTANCE TO COMMISSIONS.**

- A. Each commission shall be assigned appropriate administrative support, under the oversight of the City Manager, to provide administrative assistance with such matters as the preparation of agendas, recommendations for action, minutes, memoranda of decisions and official correspondence, and shall coordinate the clerical and technical work of the Commission in administering their official functions. Such administrative support shall attend Commission meetings, but shall serve in an advisory capacity only and shall have no voting rights.
- B. The City Clerk shall be the custodian of records for all Commissions. Minutes of Commission meetings shall be provided to the City Council.

**SECTION 7.** This Resolution shall take effect immediately and any other version of these Policies and Procedures are hereby repealed and replaced with the Policies and Procedures contained in this Resolution.

**SECTION 8.** The City Clerk shall certify the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED**, this — day of \_\_\_\_, 2025.

\_\_\_\_\_  
ALMA HERNANDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
SKINNER, CITY CLERK

\_\_\_\_\_  
ANITA

APPROVED AS TO FORM:

\_\_\_\_\_  
PATRICK ENRIGHT, CITY ATTORNEY

**CERTIFICATION**

I, Anita Skinner, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing resolution was introduced at a regular meeting of said City Council held on this \_\_\_\_ day of \_\_\_\_ 2025, and regularly passed and adopted at a regular meeting of Said City Council held on \_\_\_\_ day of \_\_\_\_ 2025, by the following vote.

<b>AYES:</b>	Councilmembers:	_____
<b>NOES:</b>	Councilmembers:	_____
<b>ABSENT:</b>	Councilmembers:	_____
<b>ABSTAIN:</b>	Councilmembers:	_____

**WITNESS** my hand and the seal of said City this \_\_\_\_ day of \_\_\_\_ 2025.

\_\_\_\_\_  
Anita Skinner  
City Clerk



# Summary of Proposed Commissioner Norms and Procedures

June 3, 2025

**Presented by: Patrick Enright, City Attorney**

# Overview

---

- The City updated its Norms and Procedures for City Councilmembers in late-2024
- Currently, there are no comparable Norms and Procedures for Commissioners, Board Members, and Committee Members
- The Proposed Norms and Procedures provides these comparable procedures for these officials
- These expectations have largely been followed implicitly up until this point, but it is prudent to put them in formal writing

# Background: City Commissions, Committees, and Boards

---

- The City Council, by Ordinance, has established a number of commissions, committees and boards which receive information, investigate, review and make decisions and recommendations regarding many areas of the City's business
- In creating these commissions, the City Council has further obligated itself to the establishment of procedural regulations and standards of conduct for commissioners in carrying out their duties on behalf of the City

# Suisun City Current Commissioner Norms and Procedures

---

## ■ Currently no Citywide Policy

- No policy outlining procedural and conduct expectations for Commissioners, Committee Members, and Board Members
- It is appropriate to have a formal document describing the expectations of these officials, and consequences for failure to comply

# Proposed Norms and Procedures

# Proposed Norms and Procedures

## - Overview

---

- Fills the gap of expected norms and procedures for Commissioners, Committee Members, and Board Members
- Sets forth procedural regulations and standards of conduct with the intent that these regulations and standards will apply to all City commissioners, committee members and board members

# Standards of Conduct

---

- **Standards of Conduct regarding appointment and removal processes, and expectations while sitting on Commission**
  - Commissioners are appointed in the manner required by the establishing ordinance, and may be removed by the Mayor or by a 4/5 vote of City Council
  - Commissioners are expected to attend all regularly scheduled meetings
  - Commissioners must live in the City and are expected to serve without pay

# Demeanor, Decorum & Conduct of Meetings

---

- **Sets forth the expected procedures to be conducted in a meeting**
  - Commissioners shall address the chair if they desire to speak
  - Any question for staff shall be addressed to the City Manager or City Attorney, who may answer the question themselves or inquire of staff
  - Commissioners shall not interrupt one another
  - Calls to order require the speaker to immediately stop speaking
  - Commissioners shall afford courtesy to one another, staff, and the public
  - Any commissioner may move to require the chair to enforce these rules

# Code of Ethics

---

- **Requires every public official to follow a code of ethics**
  - Expected to conduct themselves in a manner that will preserve public confidence in and respect for the government they represent
  - Requires each official to treat all citizens with courtesy, impartiality, and equality under the law, and to avoid any actual or potential conflicts between their private self-interests and the public interest

# Conflicts of Interest and Political Activities

---

- **Briefly outlines conflict requirements of the State Political Reform Act**
  - Form 700 disclosures are required after assuming office, annually, and upon leaving office
  - Financial and Personal Interests generally require commissioners to disqualify themselves from making, participating in making, or attempting to use their official position to influence a governmental decision.
- **Commissioners cannot participate in political activities which would be in conflict with their current official duties for the City**

# Use of Office for Personal Gain and Speaking on Behalf of City

---

- **Prohibits Use of Political Office for Personal Gain**

- Includes financial, career, social, and personal satisfaction-related gains
- Officials cannot wear any part of their City uniform to an event where they are not conducting official business for the City

- **Prohibits Speaking on Behalf of City or Commission**

- Encourages individual commissioners to clarify that they are speaking in their individual capacity when it may be unclear

# Enforcement

---

- Violation of the ethical rules or standards of conduct is grounds for removal from office



**Thank you!**

Patrick Enright, City Attorney  
Richards, Watson & Gershon  
[penright@rwglaw.com](mailto:penright@rwglaw.com)